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WITH APPENDIX

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1931

At an ASSEMBLY *held in* PHILADELPHIA, *the Fourteenth Day of* OCTOBER, ANNO DOMINI, 1741.

By the Returns of the Sheriffs of the respective Counties, it appears that the following Gentlemen were chosen on the first and second Instant, to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania*, for the Year ensuing, *viz.*

Philadelphia *County.*	Bucks *County.*	Chester *County.*
John Kinsey,	*John Hall,*	*Joseph Harvey,*
Isaac Norris,	*John Watson,*	*Thomas Chandler,*
Owen Evan,	*Garrat Vansant,*	*James Gibbons,*
Robert Jones,	*Benjamin Field,*	*John Owen,*
Thomas Leech,	*Abraham Chapman,*	*Thomas Tatnal,*
Edward Warner,	*Mahlon Kirkbride,*	*Samuel Levis,*
Joseph Trotter,	*Joseph Shaw,*	*William Hughes,*
James Morris.	*Mark Watson.*	*Jeremiah Starr.*

Philadelphia *City.*		Lancaster *County.*
Israel Pemberton,	Burgesses.	*Thomas Linley,*
Oswald Peele,		*John Wright,*
		Samuel Blunston,
		Anthony Shaw.

A QUORUM of the Representatives being met, proceeded to the Choice of a Speaker, according to the Charter of Privileges and Laws of this Province; and *John Kinsey*, Esq; was unanimously chosen Speaker of this House, and accordingly placed in the Chair.

Ordered, That *Isaac Norris*, *Israel Pemberton*, *John Hall*, *Joseph Harvey*, and *Thomas Linley*, wait upon the Governor, and acquaint him, that a Quorum of the Representatives are met, and pursuant to the Laws and Charter of this Province, have proceeded to the Choice of a Speaker; and desire to know when the Governor will be pleased to receive the House, that they may present their Speaker.

The Gentlemen return, and report, that they delivered the Message of the House, according to Order; and that the Governor was pleased to say, he would receive the House immediately.

Accordingly the Speaker, with the whole House, waited upon the Governor.

And being returned, the Speaker reported in the Words following, *viz.*

"It is now my Duty to acquaint the House, that we have waited on the Governor; that on our being introduced to him, on Behalf of the House, I addressed myself to him to the Effect following;

May it please the Governor,

"The Representatives of the Freemen of this Province, pursuant to the Laws and their Charter, have met; at their Meeting they have been pleased to make Choice of me for their Speaker. However unequal I may be to the Task, yet as they have, on all Occasions, shewn their Readiness to assist me in the Discharge of my Duty, and accept of my Service in the Manner I have been capable of performing it, I can the more chearfully take upon me the Trust, and am determined to serve them according to the best of my Ability: And shall be glad if any Thing, within the Compass of my Duty, can render my Service in this Station agreeable to the Governor."

In Answer to this, the Governor (among other Things, severely reflecting on my Conduct as Speaker in former Assemblies) was pleased to say, That as the House had made Choice of me for their Speaker, he should not put a Negative on their Choice.

On which I proceeded, in Behalf of the Province, to make the usual Claim of Privileges, in Substance as follows, *viz.*

That we might at all seasonable Times have free Access to the Governor, whenever the Affairs of the Province required it; that we might have Freedom of Speech in all our Propositions and Debates; that we might be protected from Arrests; that the Governor would be pleased to give no Ear to any Reports touching any Thing debated in the House, until the Matters debated had passed into Resolves; and that my own unwilling Mistakes might be excused.

To this the Governor was pleased to reply in Substance (as near as I could collect the same) as follows, *viz.*

"That the Privileges we then claimed, so far as he could judge, were such as we had Right to, and therefore he should endeavour to preserve them to us." Besides which, many other Things were said by the Governor; but as they were foreign to the Occasion on which we waited on him, and were spoken with Haste and Warmth, I hope you will excuse my attempting to repeat them, lest I should injure his Sense.

Thus much, however, permit me to add on this Occasion: The Laws have been long my Study; I have had the Honour of serving my Country many Years in the Assembly of this and a neighbouring Government; that I ever understood it to be the indubitable Right of particular Members, when sent of Messages to the Governor, to be treated in a decent and becoming Manner; and if it be thus in the Case of particular Members, the whole House, when they wait on the Governor, have greater Reason to expect it. You are Witnesses of the Manner in which the Governor was pleased to receive us. If it has been done as became a Gentlemen in his Station, and with the Decency usual on like Occasions, it merits our Acknowledgments: If it has been otherwise, I submit to your Judgment what notice it may deserve.————Then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Qualification by Law appointed to be taken by the Members of this House, was taken and subscribed, first by the Speaker, and afterwards by all the rest of the Members present.

Resolved, That *Benjamin Franklin* be appointed Clerk of this House for the ensuing Year; and he was qualified accordingly.

A Petition from *Samuel Kirk* was presented to the House, and read, praying that he may be appointed Serjeant and Door-keeper to this House.

Resolved, That *Samuel Kirk* be appointed Serjeant to this House for the ensuing Year; and that he be directed to provide such a Door-keeper as the House shall approve of; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

Ordered, That *Isaac Norris*, *James Morris*, *John Hall*, *Samuel Levis*, and *Samuel Blunston*, be a Committee of Grievances for the ensuing Year.

Resolved, That *Richard Patridge*, Esq; be continued Agent of this Province at the Court of Great-Britain for the Year ensuing.

Ordered, That *Isaac Norris*, *Thomas Leech*, and *Israel Pemberton*, be (with the Speaker) a Committee of Correspondence.

Ordered, That *Isaac Norris*, *Thomas Leech*, *James Morris*, *Abraham Chapman*, *Joseph Harvey*, and *Samuel Blunston*, be

a Committee to audit and settle the Accounts of the Loan-Office and other publick Accounts; and for sinking and destroying the old Bills of Credit, received in Exchange, pursuant to the last Paper-money Act.

Ordered, That *Isaac Norris*, *Thomas Leech*, and *Israel Pemberton*, be a Committee to revise the Minutes before they are printed.

The Accounts of the late Superintendent of the Statehouse, with the Proposal of his Executors, relating to the carved Work, were referred to *Thomas Leech*, *Isaac Norris*, and *Edward Warner*, who are to inspect and consider the same, and report thereupon to the House; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The House took into consideration the Speaker's Report, relating to the Reception the House met with, when they waited on the Governor to present their Speaker; and the further Consideration thereof was referred to the Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House resuming the Consideration of the Speaker's Report,

Resolved, That the Reflections cast upon the Speaker's Conduct were groundless; and that he has upon all Occasions discharged the Trust reposed in him with Fidelity, and a due Regard to the just Rights and Privileges of the People we represent.

Resolved, That the Manner in which the Governor received this House at the Time of presenting their Speaker, was unparliamentary, menacing, and such as hath a Tendency to destroy that Freedom of Access the Representatives of the Freemen of this Province have a Right to claim, and which is of absolute Necessity in the Management of the Publick Affairs of the Province; then the House adjourned to the next *Third Day*, at Three a Clock in the Afternoon.

The House met according to their Adjournment.

Mark Watson, one of the Representatives returned for the County of *Bucks*, appeared in the House, and took and subscribed the Qualification appointed by Law to be taken and subscribed by the Members of this House, and took his Seat in the House accordingly.

It was moved, that there are some Masters, whose Servants were taken from them in the late Expedition, but missed the Opportunity of applying, among others, to the late Assembly for Relief; and it being reasonable, notwithstanding, that they should be relieved, their Case is referred to the Consideration of the Committee of Grievances; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The House taking into Consideration the many Taxes their Fellow Subjects in *Great-Britain* are obliged to pay, towards supporting the Dignity of the Crown, and defraying the necessary and contingent Charges of Government; and willing to demonstrate the Fidelity, Loyalty, and Affection, of the Inhabitants of this Province to our gracious King, be bearing a Share of the Publick Burden with our Fellow Subjects, proportionable to our Circumstances, do therefore chearfully and unanimosly.

Resolved, That the Sum of *Three Thousand Pounds*, current Money of *Pennsylvania*, be paid for the Use of the King, his Heirs and Successors, to be applied to such Uses as he, in his Royal Wisdom, shall think fit to direct and appoint. And it is

Resolved, That the Trustees of the General Loan-Office of this Province, out of the Interest Money arising by the Act passed for emitting *Eighty Thousand Pounds*, in Bills of Credit, *&c.* do pay one Moiety of the said Sum; and that the Treasurer of this Province do pay the other Moiety thereof to the Committee of Correspondence, to purchase Bills of Exchange, and make speedy Remittance thereof to our Agent at the Court of *Great-Britain*, to be paid into the Exchequer, for the Use aforesaid, in such Manner as shall be directed by the said Committee.

Resolved, That Orders be drawn and signed pursuant to the Resolves foregoing.

It was moved, that a Representation of the State of the Province, be made to the Proprietaries in *England;* and accordingly it was

Ordered, That *James Morris*, *Oswald Peele*, *John Watson*, *Thomas Chandler*, and *Samuel Blunston*, be a Committee to prepare a Draught for that Purpose, and that they report the same to the House; then the House adjourned to Three a Clock in the Afternoon.

The House met, &c.

The Gentlemen appointed to prepare a Draught of a Representation of the State of the Province to the Proprietaries, reported the same to the House, and the farther Consideration thereof was referred until To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, &c.

The Representation to the Proprietaries was again read, and considered, and ordered to be ingrossed; and then the House adjourned to Three a Clock in the Afternoon.

The House met, &c.

The Representation to the Proprietaries being ingrossed, was read;

Ordered, That the same be signed by the Speaker, in order to be transmitted to the Proprietaries. And it was signed accordingly.

Resolved, That the House will adjourn to the Fourth Day of the next *Eleventh Month*.

Ordered, That *James Gibbons*, and *Mark Watson*, wait upon the Governor, and acquaint him, that the House inclines to adjourn to the Fourth of the next *Eleventh Month*, if the Governor hath nothing to object to that Time.

Upon Motion by the Committee of Grievances,

Ordered, That an Order be drawn on the Treasurer, and signed by the Speaker, for the Payment of *Seven Pounds, Ten Shillings*, to *Enoch Pearson*, in Consideration of the Loss of his Servant, which was omitted in the late Allowances.

And the same was done accordingly, and the Order delivered to *Samuel Levis*.

The Gentlemen appointed to wait on the Governor with the Message of the House, return and report, that they went to the House, and were informed that he is at *New-Castle*.

The Orders on the Trustees of the Loan-Office, and on the Treasurer, for *Three Thousand Pounds*, payable to the Committee of Correspondence, to be transmitted to *Great-Britain* for the Use of the Crown, were drawn, and signed in the House by Speaker, pursuant to the Resolve of the House.

A Member of the House laid before the House a Copy of certain Resolves of Council, which he had been serv'd with by a Member of the Governor's Council; and the same being read by Order, follows in these Words, *viz.*

At a Council held at PHILADELPHIA, SEPTEMBER 14, 1741.

PRESENT.

The Honourable GEORGE THOMAS, *Esq; Lieutenant-Governor,*

SAMUEL PRESTON,	ANTHONY PALMER,	Esqrs.
CLEMENT PLUMSTEAD,	SAMUEL HASELL,	
RALPH ASHETON,	THOMAS GRIFFITTS,	

'SAMUEL HASELL, Esq; Mayor of the City of *Philadelphia*, laid before the Board a Paper, left at his House, by Order of *Isaac Norris*, a Member of the Assembly, containing some Resolutions of the House of Representatives, as follows, *viz.*

The House taking into Consideration the dangerous Consequences that have happened by the Arrival of unhealthy Vessels amongst us, and willing, as far as in them lies, to prevent the like for the future.

Resolved, That Doctor *Lloyd Zachary* be the Person appointed to visit all unhealthy Vessels which shall hereafter arrive in or near the Port of *Philadelphia*, as often as Occasion shall require.

Resolved, That the said *Lloyd Zachary* be paid a reasonable Reward for Services which he shall do in visiting the said Vessels, as often as he shall be thereunto directed by the Governor and Council; or, on their Default, by any two Justices of the City and County of *Philadelphia:* Provided the said *Lloyd Zachary* make Report of the State of each such Vessel in Writing, and lodge the same in the Secretary's Office, and a Copy thereof be laid before the Assembly when required.

Copy from the Minutes of Assembly,
Sixth Month, 22, 1741. B. FRANKLIN, *Clerk.*"

The foregoing Resolutions having been read and considered;

Ordered, That an Entry be made on the Minutes of this Board, that for many Years before the present Governor's presiding here, *Thomas Graeme*, Doctor of Physick, was appointed, by the Governor for the Time being, with the Consent of the Council, to visit all unhealthy Vessels coming to the Port of *Philadelphia.*

That the said Doctor *Graeme* was continued in that Trust by the present Governor, with the Consent of the Council, and was afterwards paid for his Services, until the Assembly

held in 1740 refused to make him any Satisfaction for visiting sickly Vessels that Year; altho' the whole Charge amounted to no more than *Nine Pounds Sixteen Shillings.*

That the said Doctor *Graeme* did regularly attend that Duty, by which Means, and through the Care of this Board, this City and Province was, under God, in a great Measure, preserved from imported contagious Distempers for many Years; altho' during that Course of Time, many unhealthy Vessels arrived here from *Holland, Ireland,* and other Parts.

That since the Assembly denied to pay for those Services, not only the said Doctor *Graeme* has, for the most Part, declined performing them, but Doctor *Lloyd Zachary,* and other skillful Persons of the same Profession, have refused to visit Vessels suspected to be sickly, upon Application made to them by the Governor's Order: Whereby unhealthy Ships have come to this Port, and landed many Persons afflicted with the mortal and contagious Disease now in this City and the neighbouring Parts of the Country, which immediately spread amongst the Inhabitants: From whence, it is the Opinion of this Board, that the present Mortality is chiefly owing to the Conduct of that Assembly, who, in Effect, discharged Doctor *Graeme* from so necessary a Duty, without even attempting to get his Place supplied by another; and thereby exposed the Health and Lives of the Inhabitants to imminent Danger.

That altho' it is highly necessary that one or more Persons, of Skill and Experience in Physick, should be appointed to visit and enquire into the Health of People coming hither from Sea; and that they should be allowed a suitable Reward for the same: Yet the Duty of our Stations, and the Trust reposed in us by a Law of this Province concerning sickly Vessels, and the Acquittal of ourselves from all Imputation, if further ill Consequences should attend imported Distempers hereafter, oblige us to declare, That the *above Appointment,* by the House of Assembly, *is unprecedented, illegal,* and *unwarrantable:* And therefore this Board cannot regard the Person *so appointed,* or any Reports by him made; altho', in every other Respect, they think him well qualified for the Service.

And thereupon, by this Board, it is

Resloved, That the Government of this Province being unquestionable in his most sacred Majesty the King, and those who have Authority under him; the Representatives of the People in Assembly, altho' Part of the Constitution and Legis-

lature, have no Right to exercise any Acts of Government; nor can they direct or controul any Magistrate, or Officer, not even a Constable; or enlarge or create Powers in them or others, in any Case whatsoever.

That the *authorized* Persons to enter Ships or Vessels is an important *Act of Government*, not within the Power of the House of Representatives; nor can the Master of a Vessel be compelled to admit a Person, under *their Authority*, to come on board, or inspect the Condition of the Passengers and Seamen.

That the Governor, as *supreme Magistrate*, has the sole Right to give such an *Authority;* which, in this Case, has always been exercised with the Consent of this Board.

That the endeavouring to *transfer this Right* from the *Governor* to *two Magistrates*, by a Vote of the House of Representatives, is assuming to themselves the *whole Legislatative Power*, and attempting to *divest* the Governor of the *executive Part of the Government*, which is in him only, as the King's Representative; and if admitted in this Instance, may be carried such Lengths as to endanger the *Charter* granted to the Freemen of this Province.

That the House of Representatives have *not any Authority* to direct the *Filing of Papers* in the Secretary's, or any other publick Office, without the Governor's Assent to a Law for that Purpose.

That the Supposition of a *Default* in the Governor and Council, in a Manner that so highly concerns the Welfare of the Inhabitants of this Province, carries with it an *unjust Reflection* both upon the Governor and the Council.

And it is the Resolution of this Board, in Conjunction with the Governor, to take all proper Measures, as we have hitherto done, pursuant to a Law of this Province concerning sickly Vessels; *provided* the Assembly will allow a suitable Reward to one or more Persons, to be appointed, as usual, to visit them."

A true Copy,

PATRICK BAIRD, *Secretary.*

Ordered, That *Thomas Leech, Isaac Norris, Israel Pemberton, James Morris*, and *Edward Warner*, be a Committee to consider the same, and report, at the next Sitting, their Opinion of what may be proper for the House to do thereon; and then the House adjourned to the Fourth Day of the next *Eleventh Month.*

THE House met according to their Adjournment.

Ordered, That *Thomas Leech*, and *James Morris*, wait upon the Governor, and acquaint him, that the House is met pursuant to their Adjournment, and that if the Governor hath any Thing to lay before them, they are ready to receive it: then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

John Wright, return'd a Representative for the County of *Lancaster*, appeared in the House, and took and subscribed the Qualification by Law appointed to be taken by the Members of this House.

The Gentlemen appointed Yesternight to wait on the Governor with the Message of the House, report, that they delivered the same, according to Order; and that the Governor was pleased to say, he would communicate by Message what he had to lay before the House.

The Governor, by his seceretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'SEVERAL of the most substantial *Germans*, now

Inhabitants of this Province, have joined in a Petition to me, setting forth in Substance, that for want of a convenient House for the Reception of such of their Countymen as, on their Arrival here laboured under Diseases contracted in a long Voyage, they were obliged to continue on board the Ships which brought them, where they could not get either Attendance or Conveniences suitable to their Condition; from whence many have lost their Lives: And praying, that I would recommend to the Assembly, the Erecting of a proper Building at the Publick Expence, not only to accommodate such as shall arrive hereafter under the same Circumstances, but to prevent the future Importation of Diseases into this City, which has more than once felt the fatal Effects of them.

The Numbers of People which I observed came into this Province from *Ireland* and *Germany*, pointed out to me the Necessity of an Hospital or Pest-house, soon after my Arrival here; and in 1738, I recommended it to the Assembly of that Year, who seemed so far from disapproving it, that they gave me Hopes of building One so soon as the Circumstances of the Province should admit. I very heartily wish, for the Sake of such Families, Inhabitants of this City, as suffered in the late Mortality, by the Loss of some who were

their chief Support, and will therefore feel it for Years to come, and on Account of the *Irish* and *German* Strangers, that it had indeed been done so soon as the Circumstances of the Province did admit of it. But as it can profit nothing barely to bewail Evils past, I hope you will now make the proper Use of them, by doing all in your Power to prevent the like for the Time to come.

I am not insensible, that some look with jealous Eyes upon the yearly Concourse of *Germans* to this Province; but the Parliament of *Great-Britain* see it in a different Light, and have therefore given great Encouragement by a late Act, to all such foreign Protestants as shall settle in his Majesty's Dominions: And indeed every Man who well considers this Matter, must allow, that every industrious Labourer from *Europe*, is a real Addition to the Wealth of this Province; and that the Labour of every Foreigner in particular, is almost so much clear Gain to our Mother Country.

I hope I need not take up more of your or my own Time to convince you, that what is now again recommended is both for the Interest of the Province, and the Health of this City. Evils felt, are the most convincing Auguments. I shall only add, that as Christians, and indeed as Men, we are obliged to make a charitable Provision for the sick Stranger; and not by confining him to a Ship, inhumanly expose him to fresh Miseries, when he hopes that his Sufferings are soon to be mitigated. Nothing but the Building of an Hospital or Pest-house, in a proper Situation, can, in my Opinion, be a suitable Charity, or an effectual Security for the future; more especially as the Country People are grown so apprehensive of the Disease, that they will not be persuaded to admit the Infected into their Houses.'

January 5, 1741-2. GEORGE THOMAS.

Ordered, That the Governor's Message be again read and considered in the Afternoon.

Several Letters from the late and present Agent to the Committee of Correspondence, were read by Order.

The Committee appointed to settle Accounts with the Executors of the late Superintendent of the State-house, made their Report in Writing, which was read, and follows in these Words, *viz.*

WE the Committee appointed by Order of Assembly, do report, That we have examined the Accounts (exhibited to us by *James Hamilton*, in Behalf of the Executors) of *Andrew Hamilton*, deceased, late Superintendant of the

State-house, since his Settlement with the Committee of Assembly, *October* 19, 1738. And also the Accounts of Money paid to the said *Andrew Hamilton*, since that Time, by the Trustees of the General Loan-Office, for carrying on and inclosing the said Building; and do find, that the Province is charged with several Sums of Money, paid by the said Trustees of the General Loan-office to the said *Andrew Hamilton*, amounting to £ 1050 0 0

And by Vouchers produced and examined by us it appears that said *Andrew Hamilton*, in his Lifetime, and the said *James Hamilton*, since his Death, have paid several Workmen, and for Materials, employ'd about the Buildings, the Sum of——— £ 1030 6 2

Fourteen *Guineas* were charged to the Province, in an Account settled with the Committee of Assembly, *October* 19, 1738, as delivered to Capt. *Wright* to procure two Plaisterers from *London*, for the State-house; but as that Service was never performed, we deduct the Sum as there charged, ——— ——— ——— 24 19 10

Leaves the Sum paid, ——— £ 1005 6 4

And we do find, that on settling the Accounts of the several Workmen employed by the said *Andrew Hamilton*, in his Lifetime, there still remains to be paid by the Province the several Sums following, *viz.*

To *Ebenezer Tomlinson*, ———	£	75	16 3
To *David Jones*, ———		11	7 0
To *Thomas Boude*, ———		16	18 6
To *John Harrison*, ———		200	4 4
To *Robert Hind* and *Thomas Peglar* ———		24	9 3
To *Jonathan Robinson*, ———		5	18 7
To *Evan Davis*, ———		5	18 6
To *Englebert Lock*, ———		8	12 4
To *Joseph Hitchcock*, ———			19 1
To *Jacob Shoemaker*, junior, ———		1	0 0
	£	351	3 10

And the said *James Hamilton* (included in the above Sum of *One Thousand* and *Five Pounds*, *Six Shillings*, and *Four Pence*) charges the Sum of *Thirty-five Pounds*, in full Satisfaction for the carved Work in the said Building.

And the Sum of *Ten Pounds* advanced to *Zanes Savage;* and the further Sum of *Thirty Pounds* advanced to *William Holland;* both the said Sums being for Work not yet performed.

And we do also find, that by the aforesaid Account, settled by the said *Andrew Hamilton* with the Committee of Assembly, *October* 19, 1738, several Sums of Money were returned as Overpayments due to the Province on Account of the State-house, *viz.*

From *Daniel Palmer,* —— £	27	7	5½
From *Benjamin Fairman,* ——	28	6	11½
From *Thomas Shoemaker, Robert Hind,* and *Thomas Peglar,* ——	28	6	6
From *Daniel Pegg,* ——	123	15	5
From *Isaac Tonnecliff,* ——	13	0	10
£	220	17	2

All which said several Sums remain unpaid.

Submitted to the Correction of the House, by

ISAAC NORRIS,
THOMAS LEECH,
EDWARD WARNER.

Philadelphia, January 5, 1741-2.

Ordered, That the Report lie on the Table for the Perusal of the Members; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Governor's Message was again read and considered, and the further Consideration thereof adjourned till To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor's Message was again read, and considered; *Ordered,* That *Isaac Norris, Thomas Leech, James Morris, Israel Pemberton, Abraham Chapman,* and *Joseph Harvey,* be a Committee to prepare a Draught of an Answer to the Governor's Message, and that they report the same to the House; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Gentlemen appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the

House; and it was read by Order; and, after some Amendments, agreed to by the House, and ordered to be transcribed, that the same may be sent up to the Governor; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

AS *great Numbers of People from* Ireland *and* Germany *are yearly imported into this Province, some of whom have been afflicted with malignant and dangerous Distempers, it is evident to us, that a convenient House to accommodate such as shall hereafter arrive under the like Circumstances, may be of great Use to them, and a Means to prevent the Spreading of infectious Distempers among us, the Effects of which the City of* Philadelphia *has lately felt; altho' we think a due Execution of the Laws might in Part have prevented them: How this Failure happened, at whose Door it ought to lie, and the Means of preventing it for the future, we shall take another Occasion to consider, and therefore wave further Notice of it here.*

When the Governor was pleased to recommend the Building an Hospital or Pest-house to the Assembly, in the Year 1738, *it was thought too great an Undertaking for the Circumstances we were then in; and if it be considered, that the Province hath since been at great and unusual Expences, we think it may justly be said, that the State of the Publick Treasure, neither at present, nor at any Time since the Year* 1738, *hath been in a much better Condition for such an Undertaking, than it was at that Time; Nevertheless, as it will not only be charitable to Strangers who may hereafter come among us, in the distressed Circumstances before mentioned, but also of Benefit to the Inhabitants of this Province; we are therefore determined to take this Matter into our Consideration, and to direct a Plan to be prepared, and an Estimate of the Money which would be requisite for the Building and yearly Maintenance of such an Hospital, to be laid before us at our next Sitting. In the mean Time, as it is a Matter of considerable Importance, we may have the Opportunity of knowing more generally the Minds of our Constituents; and it will give such of them, as shall think fit, an Opportunity of applying to us, touching the Necessity of such a Building, and the Manner of doing it which may render it most useful and least burthen-*

some to the Province: And on the whole, we may the better be enabled to judge of the Part it will become us to act in the Affair.

Who they are that look with jealous Eyes on the Germans, *the Governor has not been pleased to inform us, nor do we know. Nothing of the kind can justly be attributed to us, or any preceding Assembly, to our Knowledge. On the contrary, the Legislature of this Province, before the late Provision made in the Parliament of* Great Britain, *have generally, on Application made to them, admitted the* Germans *to partake of the Privileges enjoyed by the King's natural born Subjects here. And as we look upon the Protestant Part of them, in general, to be a laborously industrious People, we shall chearfully perform what may reasonably be expected from us, for the Benefit of those already amongst us, and such who may hereafter be imported.*

And the Message being signed by the Speaker;

Ordered, That *Joseph Trotter*, and *Edward Warner*, carry up the same to the Governor.

Ordered, That *Isaac Norris*, *Thomas Leech*, *Edward Warner*, *Israel Pemberton*, *Oswald Peele*, *Abraham Chapman*, *Thomas Tatnal*, and *John Wright*, be a Committee to prepare a Plan of an Hospital, and make an Estimate of the Expense of building and maintaining the same, and to consider of a proper Place for it; and that they report there upon to the House at the next Sitting.

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same, according to Order; and that the Governor was pleased to say, He would peruse the Message, and if it required an Answer, would send one to the House.

The House resumed the Consideration of the Report of the Committee on the State-house Accounts, and, after some Time spent therein, the farther Consideration thereof, was adjourned till To-morrow Morning; and then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The House resumed the Consideration of the Report of the Committee on the Accounts of the State-house; and, after some Time spent therein, the farther Consideration thereof was referred to the Afternoon; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'I AM not a little pleased to find, by your Message of Yesterday, that you agree to the Necessity of building a Pest-house, for the Reception of sick Strangers, and to prevent the Spreading of infectious Diseases they may happen to have contracted in their Voyage hither; and I cannot allow myself to doubt of your taking speedy and proper Measures for the Completion of so charitable a Work.

Whilst the *German* Petitioners complain that many have lost their lives by being confined to the Ships, you express your Dissatisfaction that the Laws have been executed; that is, I suppose, that sick Passengers were not confined to the Ships. A former Assembly, however, composed of many of the same Members with the present, after the very same Measures taken, as to me, were pleased to tell me in their Address, "That they had a grateful Sense of my Care putting in Execution the Law for sickly Vessels coming into this Government." But, all I say or do now must be wrong. The Resolutions of the last Assembly on this Matter, sufficiently explain to me what is meant, by taking another Occasion to consider at whose Door the Sickness in *Philadelphia* ought to lie. I shall be glad to see your Attempt to justify what was insinuated and assumed in those Resolves. Accusations and Complaints are no new Things to me; but, Thanks to my Integrity, they have been so far from doing me a Prejudice, that they have shewn me to his Majesty and his Ministers in a Light more advantageous than I could otherwise have expected. For this Favour, tho' not designed as such, *Gentlemen*, I thank you.

If I do not stricly adhere to Form, in imputing to you what was done by the two preceding Assemblies, I hope you will excuse me; for as you are, Nine in Ten of you, the same Members, I know not yet how to separate your Actions from your Persons.

I cannot but differ with you (which I am sorry is too often the Case) in the State of the Publick Treasury since 1738; for the Publick Accounts, in my Opinion, shew that the Province has at no Point of Time since been unable to erect the proposed Building. You have, I confess, been at

some unusual Expence, but I cannot call it great, as you do, since *Fifteen Hundred Pounds*, out of the *Twenty-five Hundred* said to be expended, has been stopt out of my Support. I know of no other Call upon the Province since for an unusual Expence. If you have generously, and out of Compassion for the Sufferings of your Fellow Subjects in *Britain*, remitted *Three Thousand Pounds* to your Agent, for their Relief; I conclude you were well able to spare it, and that otherwise you would not have done it.

Either the Memories of some of your Body, who were Members in 1738, must have failed them very much, or their Sentiments of the Importation of Foreigners are, for very substantial Reasons, much altered. For, not to dwell upon a small Instance of the Assembly's Displeasure to me, at that Time, for saying a little too much of the Industry of the *Germans*, I refer you to your Minutes for Assembly's Address to the Proprietary in 1738, to convince you that what I said of their having been looked upon with jealous Eyes by some, was not altogether without Foundation. What follows may be found in that Address.

And this House will in a proper Time readily join the Governor in any Act that may be judged necessary, as well for protecting the Property of the Proprietaries and others from such unjust Instructions for the future, and for Preservation of the Peace of the Government, as for *guarding against the Dangers which may arise from the great and frequent Importation of Foreigners.*

January 8, 1741-2. GEORGE THOMAS.

The House resuming the Consideration of the Report of the Committee to whom the Accounts of the late Superintendant of the State-house were referred.

Resolved, That Orders be drawn on the Treasurer, to be signed by the Speaker, for the Payment of the Ballances respectively due to the several Workmen employed by him, and specified in the said Report, except that to *Robert Hind* and *Thomas Peglar.*

And the same Orders were accordingly drawn, and signed by the Speaker.

Resolved, That the Accounts of *Hind* and *Peglar*, be referred to the present Superintendants of the State-house to settle with the Executors of the late Superintendant, and the said *Hind* and *Peglar*, in the best Manner they can.

Resolved, That it be also referred to the present Superintendants of the State-house, and apply to the Executors

of the late Superintendant, and let them know it is expected from them, by such Ways and Means as they shall be advised are most proper, to recover so much of the several Sums of Money which were returned as outstanding Debts by the said late Superintendant, to the Assembly of 1738, as shall be practicable; and that the said present Superintendants make Report of what they shall do in the Premises, or any Part thereof, to the Assembly at their next Sitting.

Resolved, That no Service having been done for the Money advanced to *William Holland* by the late Superintendant, the said Article be not allowed in the Accounts exhibited by his Executors. And that no more be allowed of the Money advanced to *Zanes Savage*, than the Work he has performed amounts to.

Resolved, upon Motion, That an Allowance of *Nine Pounds, Four Shillings*, and *Two pence*, be made to *Jane Hatton*, Widow, in Consideration of the Loss of a Servant, who inlisted in the late Expedition.

A Petition from *Richard Nolen* was presented to the House, and read, setting forth that he had entertained four *Indians* five Weeks on Account of the Publick; and praying that the Sum of *Three Pounds*, due for the same, may be now paid to him;

Ordered, That the said Sum of *Three Pounds* be paid by the Treasurer to the Peitioner, according to the Prayer of the Petition.

The House resuming the Consideration of the Governor's Message,

Ordered, That *Isaac Norris, Thomas Leech, James Morris, Israel Pemberton, Abraham Chapman, Joseph Harvey, Jeremiah Starr*, and *Samuel Blunston*, be a Committee to prepare a Draught of an Answer to the same, and report it to the House; then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met, *&c.* and adjourned to Ten a Clock Tomorrow Morning.

The House met, *&c.*

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read by Order, and ordered to be read a second Time in the Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, and the further Consideration of the Message to the Governor was adjourned till To-morrow; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Committee appointed at the last Sitting to consider the Resolves of a Council relating to sickly Vessels, and report thereon to the House, reported, that they had made considerable Progress therein, but not having completed the same, desire farther Time till To-morrow Morning.

The farther Consideration of the Message to the Governor was adjourned till To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Committee appointed to consider the Resolves of Council, *&c.* made their Report in Writing, which was read.

The Answer to the Governor's Message was again read, and considered; and the further Consideration thereof adjourned to the Afternoon; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House resumed the Consideration of the Message to the Governor; and, after some Time spent therein, it was ordered to be transcribed, in order to be sent up to the Governor; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Report of the Committee relating to the Resolves of Council, was again read, and considered, and the further Consideration thereof referred to the Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House resumed the Consideration of the Report of the Committee relating to the Resolves of Council; and, after some Debate thereupon, the same was agreed to by the House, and follows in these Words, *viz.*

'WE have, in Obedience to an Order of the House, taken into our Consideration the *Resolves* of Council, dated the Fourteenth of *September* last, and some Time after published in the *Weekly Mercury;* and, altho' we look back with Concern on some unhappy Disputes in which our late Assemblies

have been necessarily engaged, and are humbly of Opinion, it will be prudent to a void them as much as may be for the future; yet as the Resolves referred to our Consideration, highly reflect on the Conduct of the last Assembly, and contain divers Matters which we conceive are destructive of those Liberties and Privileges the Freemen of this Province have Right to claim, it will become the House to take proper Notice of them. We can by no Means persuade ourselves it was the unanimous Act of that Board, and even such of them who may have assented to those Resolves, whenever they are pleased coolly to re-consider the same, will find sufficient Cause to alter their Opinions.

In order to introduce our Sentiments of what is fitting to be done therein, it will be necessary to state the Facts in a true Light, to observe wherein we apprehend the Governor and Council are mistaken, and then to make such Remarks as have occurred to us in considering those Resolves. And first, as to the Facts.

That Doctor *Graeme*, for many Years before our present Governor's Arrival, was appointed by the Governors for the Time being, with Consent of the Council, to visit unhealthly Vessels, may be true; and that he might be continued in the Trust by the present Governor, with the Consent of his Council; from whom, or from some of the Magistrates, as we have ever understood it, the Doctor was to take his Instructions both when, and what Vessels, to visit.

Doctor *Graeme*, in the Year 1740, did exhibit an Account to the then Assembly, in which the Province was charged in the Words following *viz. To going on board, visiting, and reporting to his Honour the Governor, the State and Condition as to Sickness and Health, of sick* Palatine *Vessels, and one with* Negroes *from* South-Carolina, *at a* Pistole *each*, Nine Pounds, Sixteen Shillings.

When this Account came to be considered in the House, it was objected, that it did not appear who the Masters of those Vessels were, nor what the Names of the Vessels so visited, without which the House were not furnished with the proper Means of enquiring into the Services done, or to judge of the Recompence due for them; neither did he make it appear to the Committee to whom his Accounts were referred, that those Vessels he had visited were sickly, nor that he had any Orders, either from the Governor and Council, or from any of the Magistrates, to visit them; without which the Assembly were of Opinion, that the Doctor could claim

no greater Right to make such a Charge against the Province than any other Person; and further, that it ought not to be left either at the Discretion of the Doctor, or any other Persons employed in that Service, what Vessels to visit; otherwise every Vessel which came into the Province might be visited, and by that Means a great and unnecessary Charge brought on the Publick. These Reasons induced the House not to pass his Account that Year.

In the Year 1741, Doctor *Graeme* again exhibited the same Account, together with another for like Services, amounting to *Eight Pounds, Eight Shillings*, both which are there said to be done by Order of the Governor and Magistrates until *August*, 1741; but what Vessels he had thus visited he did not give any satisfactory Information, save as to one.

On these two Accounts the Assembly allowed him *Ten Pounds*, which is in Proportion to the Payment made him for like Services by the Assembly of 1738. And, if what we are informed be true, the Masters of the Vessels visited have usually made considerable Allowance to the Doctor besides.

How regularly the Doctor attended the Service, or how great the Care of the Governor and Council hath been, in respect to sickly Vessels, we shall leave others to judge: Yet some of us do remember, that a *Palatine* Vessel, with sick Passengers on board, came into our River in the Year 1738; and on the Doctor's Report (as we were informed) that it was no other than a common Ship-distemper, was admitted to come up to the City; but, by its spreading, it soon appeared malignant, and the Vessel was ordered away from the Port. In this Instance the Governor and Magistrates acted a Part that became them, for the Infection of the Distemper after appeared in one remarkable Instance to the Southward of this City, where a Person who received some of those sick People into his House, was, with most of his Family, taken away by the Distemper.'

The Governor and Council are further plesed to say, '*That since the Assembly denied to pay for those Services, not only the said Doctor* Graeme *has, for the most Part, declined performing them; but* Doctor Lloyd Zachary, *and other skillful Persons of the same Profession, have refused to visit Vessels suspected to be sickly, upon Application made to them by the Governor's Order; whereby unhealthy Ships have come to this Port, and landed many Persons afflicted with the mortal and contagious Disease now in this City*, &c. *From whence it is the Opinion of this Board, that the present Mortality is chiefly owing to the Conduct of that Assembly, who, in Effect,*

discharge Doctor Graeme *from so necessary a Duty, without even attempting to get his Place supplied by another*, &c."

'On this very remarkable Paragraph we beg to leave to observe,

1. That when we consider the Time and uncommon Manner in which these Resolves were published, we are inclined to believe they were calculated to influence the Elections on the First of *October* following.

2. The Assembly did not deny to pay Doctor *Graeme:* In our Opinion, he hath been fully rewarded for the Services he did. It is true, that the Payment was postponed for some Time, until Enquiry was made whether the Services were done by proper Authority. If, in this Instance, too great a Regard was shewn to the Governor and Magistrates, they at least may excuse it.

3. Doctor *Graeme*, on exhibiting his last Account, in the *Sixth Month*, 1741, intimated his Desire of being excused from the Service; before which time the Assembly had done no Act to discharge him; and the mortal Distemper having then spread in the City, that no Care might be wanting on their Part to remedy the Neglect which so evidently appeared: the Assembly, the same Session, by their Resolves, dated the Twenty-second of *Sixth Month*, 1741, did nominate Doctor *Lloyd Zachary* to the Service. If the Governor, Council, and Magistrates, do not think fit to employ him, the Consequences which attend it must lie at their Door.

4. Doctor *Graeme*, in his Account, charges the Province for Services done to *August*, 1741. This shews he did not look upon himself to be discharged at that Time; and this must also have been the Sentiments of the Assembly, or they would not have paid his Account for those Services.

5. That if the Governor and Council did look upon the Doctor to be in Effect discharged in 1740, and had the Good of the Province so much at Heart, as they would have us believe, since other Physicians had refused to visit sickly Vessels on the Governor's Application, why did not they apply to the Assembly for some Remedy, but suffer the Affair to lie dormant for a Year? And why should they suppose the Doctor looked upon himself to be discharged, meerly because his Account was unpaid for one Year; when, by his Petition, presented in 1738, recommended by the Governor, it appears, *he had been silent in Point of any Reward for upwards of twenty Years.*

6. That some unhealthy Vessels did come into the Port, is true; particularly one of *Charles Willings*, another of *Peter Baynton's;* and the Passengers brought on Shore from one or both of these Vessels, lodged in divers Parts of the City; by which Means, from the best Account we can get, the late mortal and contagious Distemper was spread in this City, and no Directions were given by the Governor, nor any Care taken by the Magistrates, that we could ever learn, concerning it. To the Want of Care in these Instances, therefore, principally, in our Opinion (and not to any Conduct in that Assembly) it was that the Spreading of the late mortal Distemper was owing.

The Governor and Council further say, *"The Duty of our Stations, and the Trust reposed in us by a Law of this Province, concerning sickly Vessels, and the Acquittal of ourselves from all Imputation, if further ill Consequences should attend imported Distempers hereafter; oblige us to declare, that the above Appointment by the House of Assembly* (of a Person to visit sickly Vessels) *is unprecedented, illegal and unwarrantable; and therefore this Board cannot regard the Person so appointed, or any Reports by him made, although in every other Respect they think him well qualified for the Service.*

This Paragraph, and Part of a former, make the Governor and Council, in Effect, to say, That tho' Doctor *Graeme* has, for the most Part, declined to visit Vessels, and although Doctor *Zachary*, if duly appointed, would be a Person every way qualified for the Service; yet the Duty of their Station, and the Trust reposed in them by a Law of this Province, oblige them to declare, they neither would appoint him, nor regard his Reports, meerly because the Assembly have nominated him.

How far such a Disposition has a Tendency to the Peace and Welfare of the Province, or to the *Acquittal of themselves from all Imputation, if further ill Consequences should attend imported Distempers hereafter*, requires no Observation of ours to demonstrate.

What renders this Disposition in the Governor and Council the more inexcusable, is, that it must be plain, from the Tenor of the Resolves of Assembly, that (whatever their Power may be) they were not intended as an Appointment of Doctor *Zachary* to visit sickly Vessels, exclusive of the Power of the Governor, or some of the Magistrates; since his Service in visiting sickly Vessels is expressly limited to

be *as often as he should be thereunto directed by the Governor and Council, or, on their Default, by any two Justices of the City and County of* Philadelphia.

And even were it admitted, that the Assembly had mistaken their Power, and made a Nomination not warranted by Law; we are clearly of Opinion, that for the Governor and Council (who are not a Court of Judicature, nor the latter by our Constitution any Part of the Legislature) to assume to themselves a Power the Law never intrusted them with, thus publickly to arraign and censure the Conduct of the Assembly, was illegal and unwarrantable, a high Breach of their Privileges, and of dangerous Example.

We next proceed to consider the Resolves of the Governor and Council, which are *Seven* in Number; and to prevent the Supposition of any Design to wrong the Sense of them, we have first inserted the Resolves separately at large, then subjoined our Remarks upon them.

Their *first* Resolve runs thus:

'That the Government of this Province being unquestionably in his most sacred Majesty the King, and those who have Authority under him; the Representative of the People in Assembly, altho' Part of the Constitution and Legislature, have no Right to exercise any Acts of Government; nor can they direct or control any Magistrate, or Officer, not even Constable; or enlarge or create Powers in them or others, in any Case whatsoever,"

On this Resolve we observe,

That although the Government of the Province is unquestionably in the King, and those who have Authority under him; it does not operate against the Powers of the Assembly; since they claim none but such as are derived to them, by their Charter, and the Laws of the Province, from the Crown. The Residue of the Resolve, we conceive, contains two Mistakes.

1. The Governor and Council assert,

The Representatives of the People in Assembly, altho' Part of the Constitution and Legislature, have no Right to exercise any Acts of Government.

The Powers of Government are divided into Legislative, Executive and Fœderative, Legislative, or the Power of making Laws, is one of the *highest* Acts of Government; and if the Assembly be allowed (as they undoubtedly are) a Part of the Legislature, every Act they do in Legislation, is an

Act of Government. Further,—— if the Assembly are a Part of the Constitution, as the Governor and Council say, they must be a Part of the Government; for, as we take it, Constitution and Government, in the Sense they use them, are synonimous; And if a Part of the Government, the Acts they do are Acts of Government. Besides, the Assembly only have the Power, by our Laws, of making some Officers, and the Payment of many; which we understand to be Acts of Government.

2. They add, *Nor can they* (the Assembly) *direct or controul any Magistrate or Officer, not even a Constable.*

By Magistrate in this Place we understand judicial Officers; as to whom, we conceive, the Law is the Rule by which they are to conduct themselves; and no Direction or Attempt to controul them in doing Justice, is lodged either in the Governor or Assembly: But if they transgress those Rules, either by not doing their Duty, or in exceeding their Duty; there can be no Doubt but that, by our Constitution, the Assembly, when they think it necessary, may impeach such Offenders, in order to bring them to Justice; which also shews the Assembly have a Share in the executive Part of the Laws.

As to the Power of directing other Officers, the Governor and Council are also mistaken: For,

1. We have divers Officers of our own, our Clerk, Serjeant and Door-keeper; our Power to direct and controul these has never been disputed that we know of.

2. The Assembly, by the Laws of the Province, are in many Cases authorized to command divers other Officers on sundry Occasions.

3. Whenever it shall become necessary, either for the Preservation of the Publick Peace, or in many other Cases that might be mentioned, if we may be allowed to follow the Example of the House of Commons, or the Practice of former Assemblies; it will be difficult to maintain that the Assembly have not the Power to command both Sheriffs, Constables, and other Officers, as Occasion may require, and to punish their Disobedience to such Commands.

The *Second* Resolve of the Governor and Council runs thus:

"*That the* authorizing *Persons to enter Ships or Vessels, is an important* Act of Government, *not within the Power of the House of Representatives; nor can the Master of a Vessel be compelled to admit a Person, under their* Authority, *to come on board or inspect the Condition of the Passengers and Seamen.*"

On this we observe.

'1. That the authorizing Persons to enter Ships or Vessels, may in some Cases be an Act of Government, in many Cases not so. The Assembly have not had any Occasion to Claim such a Power; though we think it possible to put Cases, in which it might be justifiable for them both to claim and put it in Practice.

'The *third* Resolve sets forth.

'3. *That the Governor, as Supream Magistrate, has the sole Right to give such an Authority, which, in this Case, has always been exercised with the Consent of this Board.*

'On this we observe,

1. When the Governor and Council will be pleased to re-consider this Resolve, we presume they will think it expressed too generally, and not the most safely. We ever understood our King to be SUPREAM MAGISTRATE; and for any other to claim that Authority, without any Words of Limitation, does not demonstrate that Duty and Loyalty which every Subject owes to our Sovereign.

2. As the Governor is not Supreme Magistrate, without adding Words of Limitation, *viz. within this Province;* neither has he (if any Right) the *sole Right* to give Authority of entring into Vessels, *&c.* The King, we presume, they must allow to have greater Right, so have the Lords of the Admiralty, the Commissioners of the Customs, the Collector of the Customs, *&c.* And, as we conceive, so have the Justices of the Supream and County Courts, Sheriffs, Coroners, *&c.* in many Cases.

The Governor and Council's *fourth* Resolve charges the Assembly in these Words:

4. *That the Endeavouring to* transfer this Right *from the* Governor *to* two Magistrates, *by a Vote of the House of Representatives, is assuming to themselves the* whole legislative Power, *and attempting to* divest *the Governor of the* executive Part of the Government, *which is in him only, as the Kings Representative, and if admitted in this Instance, may be carried such Lengths as to endanger the* Charter *granted to the Freemen of this Province.*

On this we observe.

"That if the Matter be rightly understood, we think there is no Foundation for this Charge; for whoever will peruse the Resolves of the Assembly, in relation to which this Charge arises, will find they contain no Words which either do, or

look as if they were intended to give a new Power to the Magistrates; but supposed them already vested with Power sufficient: And notwithstanding some of the Magistrates, who are Members of Council, to serve a particular Purpose, may have thought fit to disclaim this power, by declaring it is vested in the Governor solely; it is not only what they have sometimes practised, but, as we are advised, is enjoined by Law as their Duty, *viz.* as often as it shall be necessary, to send some Person on board of Vessels supposed to be sickly, to view, and to report in what Condition they are; and when any infectious Distemper is on board, to prevent their coming into the City: For the Act of Assembly concerning sickly Vessels expressly provides, none shall come within a Mile of any Port; which being a general Probition, and no particular Method prescribed, in which it is to be put in Execution, the Justices in each County respectively, not only may, but ought to exert their Authority in the due Execution of this Act; and if, contrary to the Tenor thereof, any Vessel be brought into any Port in this Province, the Master may be indicted and fined for the Breach of the Act; It being, as we are advised, a general Rule of Law, *'That where an Act prohibits a Matter of publick Grievance to the Liberty and Security of the Subject, or commands a Matter of publick Convenience, an Offender against it is punishable by Indictment.*"

As therefore this Right was and is in the Justices of each County, the Assembly's appointing a Person whom they declared they would pay as often as the Governor and Council, or any two Justices, &c. thought fit to employ him, cannot be justly called an Endeavour to transfer the Right from the Governor to two Magistrates, as the Governor and Council are pleased to suppose.

Besides, *to transfer this Right from the Governor* must suppose it to him: Whereas, unless, it be lodged in him and the Council, by Virtue of the Act aforesaid, and not as Supream Magistrate (as he is pleased to stile himself) we are advised there is greater Reason to doubt his Power as such, than that of the City and County Magistrates: For by our Constitution he is not entrusted with the Execution of Laws in his own Person; nor hath he Power to creat new Offices and Officers without the Consent of the Assembly.

But what we most admire at, is, that the Governor, in Conjunction with the Council, should publish his seeming Concern for the Preservation of our Charter; when at the same Time he could not but be conscious to himself of a Complaint he had depending, whereby he attempts to take

from the Freemen of this Province some of the most valuable Privileges granted them by it; and as the Council; at the Time of these Resolves, knew of this Complaint being lodged, one would think they should rather have chosen a better Opportunity of expressing their Care for the Preservation of the Charter, if they intended to gain Credit.

The *fifth* Resolve of the Governor and Council alledges.

5. *That the House of Representatives have* not any Authority *to direct the* Filing of Papers *in the Secretary's, or any other publick Office, without the Governor's Assent to a Law for that Purpose.*

This Resolve we suppose alluded to that made in the Assembly of 1741, before mentioned which provided that Doctor *Lloyd Zachary* be paid a reasonable Reward for visiting sick Vessels, *&c. provided he make such Report in Writing, and lodge the same in the Secretary's Office*, &c. Those who have a Right to give, may annex Conditions to their Gifts. The Assembly had the Right to direct where they thought it was fit the Doctor's Report should be lodged; and altho' it was not in his Power to file that Report (for putting on the File is the Act of the Officer, and is a Term we did not use) it may be in his Power to lodge or leave it there: Whether the Secretary will think fit to receive it or not, may be another Question: If he shall refuse, the Assembly have an easy Method of providing against that Defect, and making the Gentlemen sensible of his Duty.

The *sixth* Resolve contains these Words, *viz.*

That the Supposition of a Default *in the Governor and Council, in a Matter that so highly concerns the Welfare of the Inhabitants of this Province, carries with it an* unjust Reflection *both upon the Governor and the Council.*

On this we remark.

The Event has shewn there was great Reason for the Assembly in *August*, 1741, to provide against a Default; the present Declaration of the Governor and Council, that they will have no Regard to the Resolutions of the Assembly proves it: And therefore it was well provided by that Assembly, that in such Case they would pay the Doctor as often as he should be sent by any two Justices of the City and County of *Philadelphia, &c.* If they chuse rather to employ a Doctor of their own Appointment, it is in their Power; but if they disregard their Duty in Execution of the Act, the Fault will lie at their Door.

But why *the Supposition of a* Fault *in the Governor and Council* should be asserted to carry with it *an unjust Reflec-*

tion, we are at a Loss to say: The Act of Parliament in the Eleventh and Twelfth of WILLIAM III. Chap. 12, recites, *That whereas a due Punishment is not provided for several Crimes committed out of his Majesty's Realm of* England, *whereof of divers Governors, Lieutenant Governors, &c. have taken Advantage, and have not been deterred from oppressing his Majesty's Subjects*, &c. to infer from thence, that the King and Parliament reflected on all the Governors in *America*, would be very bad Reasoning; and yet it would be equally forcible with the Conclusion drawn by the Governor and Council in the Case before mentioned.

The *seventh* and last of their Resolves follow, *viz.*

And it is the Resolution of this Board, in Conjunction with the Governor, to take all proper Measures, as we have hitherto done, pursuant to a Law of this Province, concerning sickly Vessels; provided *the Assembly will allow a suitable Reward to one or more Persons, to be appointed, as usual to visit them.*

In what Manner the Act mentioned in this Resolve has been executed in Time past, we have already taken Notice; and if it be duly executed for the future, we presume it will be agreeable to all the Inhabitants of the Province. And we make no Doubt, that whatever may be incumbent on the House to do on that Occasion, will be chearfully performed.

On the Whole, we are humbly of Opinion, That to prevent Disputes concerning the Right of an Appointment of a Person to visit unhealthy Vessels hereafter, and to amend divers other Defects in this Act; it will be necessary to appoint a Committee of the House to prepare and bring in a Bill for that Purpose, against the next Sitting of Assembly.

And that the House do come into such Resolutions as they shall judge necessary, to support the Rights and Privileges of the Representatives of the Freemen of this Province, and encourage a due Execution of the Act in the mean Time. But it is nevertheless submitted to the Judgment of the House, by"

THOMAS LEECH,
ISAAC NORRIS,
ISRAEL PEMBERTON,
JAMES MORRIS,
EDWARD WARNER,
SAMUEL BLUNSTON,
ABRAHAM CHAPMAN,
JEREMIAH STARR.

And accordingly it was

Resolved, That for the Governor and Council to draw in Question, arraign and censure the Proceedings of the Representatives of the Freemen of this Province in Assembly met, after the Adjournment of such Assembly, is assuming to themselves a Power the Law hath not intrusted them with; is illegal and unwarrantable, a high Breach of their Privileges, and of dangerous Example.

Resolved, That if the Master of any Ship or Vessel, having sick Passengers on board, shall, contrary to the Tenor of the Act, intituled, *An Act to prevent sickly Vessels coming into this Government*, come nearer than one Mile to any of the Towns or Ports in this Province, or shall land such Passengers of their Goods thereat, without Licence first obtained for the same, as by the said Act's is directed, that such Master may be indicted, and fined, for transgressing the said Act; and that such Offences may by Law be heard and determined by the Justices of the respective Counties in which they shall be committed.

Ordered, That the Committee appointed to prepare a Plan of an Hospital, *&c.* do also consider what Amendments will be necessary to the said Law, and report thereupon to the House at their next Sitting.

Ordered, That *James Morris*, *Joseph Trotter*, *Abraham Chapman*, and *Samuel Blunston*, be a Committee to prepare and bring in a Bill at the next Sitting of this House, for continuing the Act, intituled, *An Act for the more easy and speedy Recovery of small Debts*.

Ordered, That *Edward Warner*, *Oswald Peele*, *John Watson*, and *Joseph Harvey*, be a Committee to prepare and bring in Bill at the next Sitting, to continue the late Act, intituled, *A Supplement to the Act for electing Members of Assembly*, &c.

Ordered, That *Israel Pemberton*, *Isaac Norris*, *Thomas Leech*, and *Robert Jones*, be a Committee to prepare and bring in a Bill at the next Sitting, to enjoin sundry Officers in the County of *Philadelphia*, to deposit the Records, *&c.* in their Custody, in the Offices adjoining to the State-house.

Ordered, That *Mark Watson*, *Benjamin Field*, *Joseph Harvey*, *Owen Evan*, and *Jeremiah Starr*, be a Committee to prepare and bring in a Supplementary Bill, at the next Sitting, to the Law for erecting Pownds; then the House adjourned to Ten a a Clock To-morrow Morning.

The House met, *&c.*

Resolved, That this House will adjourn to the Seventeenth of the next *Third Month*.

An Order being drawn on the Treasurer for the Payment of *Nine Pounds, Four Shillings*, and *Two-pence*, to *Jane Hatton*, in Consideration of the Loss of a Servant taken on the late Expedition, the same was signed by the Speaker by Order of House, and delivered to *James Morris*.

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

AS the Contents of our last Message relating to the Building an Hospital or Pest-house for sick Strangers, seems to have given the Governor Content; it would be needless to add any Thing on that Subject at this Time: But since we are not so happy as to have given equal Satisfaction in every other Part of our Message, we must desire to be excused in returning this, to remove those Mistakes, which, by the Constructions the Governor has been pleased to put on some Parts of that Message, it is apparent he either is, or would seem to be, under.

The Governor's bewailing the Loss divers Families in this City had lately sustained, by the Spreading of an infectious Distemper, led us to observe, "That a due Execution of the Laws might in Part have prevented it." From hence the Governor takes Occasion to tell us, that whilst the *German* Petitioners complain, that many have lost their Lives by being confined to the Ships, *we* express our Dissatisfaction that the Laws have not been executed; that is, *as the Governor is pleased to suppose*, that sick Passengers were not confined *to their Ships.*

If a due Execution of the Laws necessary required that sick Passengers must be confined to their Ships, there had been some Colour for this Supposition; but if the Law might have been duly executed, without such Confinements, the Supposition is altogether groundless.

The Governor, in his Speech to the Assembly in 1738, *among other Things, was pleased to tell them*, "That the Law to prevent sickly Vessels from coming into the Government, had "been strickly put in Execution:—That the Masters were obliged to land such of the Passengers as were sick, at a Distance from the City, and to convey them, at their own Expence, to Houses in the Country convenient for their Reception."—*The Governor at that Time not only thought*" a

strict Execution of the Law," *necessary, but that even by executing the Law strickly,* "Masters of Vessels were obliged to land such of the Passengers as were sick, at a convenient Distance from the City, and to convey them, at their own Expence, to Houses in the Country convenient for their Reception." *The Law is the same at this Time it then was; and if the Method then taken by the Governor was consistent with a strict Execution of the Law in his own Sense, why should he suppose it to be otherwise at this Time in ours?*

That the Assembly of 1738 *(which was composed of divers of the same Members as the present) did, in their Address, acquaint the Governor, "That they had a grateful Sense of his Care in putting the Law in Execution, for preventing sickly Vessels coming into the Government," is very true: But does it therefore follow, that no Slackness, no Failure, hath happened in the Execution of the Law since that Time? We own, that if the Governor hath ever since the Year* 1738 *taken the same Care, and "the very same Measures" as before; his Merit must be the same now as it then was: And, whenever he is pleased to give us Demonstration of this, we shall as chearfully make grateful Acknowledgments for the Part he hath acted, as the Assembly at that Time did: And yet it not only may, but we think, on Examination, will appear, that the Law before-mentioned, in one or more late Instances, hath not been duly put in Execution; and therefore we shall have just Occasion to enquire* "at whose Door the Failure ought to lie." *If this Enquiry, and our undertaking to support the Resolves of the last Assembly, to which the Governor is pleased to allude, will afford him an Occasion of Joy, he will be gratified.*

"Accusations and Complaints, *the Governor is pleased to say,* are no new Things to him;" *and, with his Leave, we would add, nor ought to be so, whilst the Causes of them remain. But why they are mentioned on this Occasion the Governor best knows: If it has been to take an Opportunity of publishing his* Integrity *and the* advantageous Light *in which in his own Opinion, he appears to* "his Majesty and his Ministers;" *altho' we have no other Credentials to support it than his own, yet being unwilling to detract from his Merit, we shall leave the Governor in Possession of all the Applause he has thought fit to bestow upon himself; and are content to forego his Thanks for a Favour to which we claim no Right.*

We must however be allowed to add, that it will be difficult to persuade the Freemen of this Province there are any Thanks due from them to his Integrity, until he shall be able to reconcile his repeated and solemn Promises of supporting us in our religious and civil Liberties, with the last clandestine Attempt he has made to deprive us of both.

As to the State of the Publick Treasury, in which the Governor is pleased to differ in Opinion from us, though we observe he changes the Terms of the Question between us, it is a Matter of too little Consequence to take up his or our Time about. The Contents of our former Message, on the nicest Scrutiny, he will find to be true; and it will be easy to demonstrate, that there was no Point of Time, either in the Year 1738, *or any Time since, in which the Province has been less able to build the Hospital proposed than at present: The Reason of which must be evident to any One who will reflect on the Expences the Province hath lately been at, which we think were justly termed great, as well as unusual.*

The Governor, indeed, is pleased to say, that we have stopped Fifteen Hundred Pounds, *Part of this unusual Expence out of his Support: But he may remember, that since his Accession to the Government he hath received divers Sums of Money arising by Fines, Forfeitures, licensing Publick Houses, and other Perquisites of Government, amounting, from the best Judgment we can form, to near* One Thousand Pounds per Annum, *some of which he hath no Right to, and is double the yearly Sallary some of our former Governors received. Besides, when the Governor was pleased to enumerate some of the Articles in which this unusal Expence consisted, he might (with others of less Moment) have added one of upwards of* Fourteen Hundred Pounds *more than those he hath mentioned, payable to the Proprietaries, the last and present Year. The Article of* Three Thousand Pounds *given to the King's Use, was chearfully and unanimously given; how generously, let others judge. But the Governor can best inform us what Purpose it was intended to serve, and how consistent it is with those great Professions of Loyalty and Regard to the Crown, he has sometimes boasted of, to represent the Money thus given, as if it were Alms to be distributed amongst some of our Fellow Subjects in Distress. However, if we judge rightly, the Effect it is intended to have may easily be guessed at, and is little to be feared.*

In the Year 1738, *Advertisements were published, enjoining such who had contracted for Lands with the Proprietaries, by*

a Time prefixed, to fulfill their Engagements; and that those who had settled on their Lands without Leave, should apply and agree for the same, or that they should be turned out of their Possessions. The Time being near expired, divers of them petitioned the Assembly of that Year, praying their Interposition and good Offices to procure them a longer Time: The Assembly, in Compassion to their Circumstances, accordingly addressed the Proprietary, and did obtain longer Time: To induce the Proprietary with the more Readiness to grant that Indulgence, the Assembly in that Address declared they would, at a proper Time, join with the Governor in any Act that might be judged necessary for protecting the Property of the Proprietaries, and others, from the unjust Intrusions, not only of such Persons who already were in the Province, but against Foreigners after to be imported.

This must manifestly appear to be the Intent of their Address, to any One who will be at the Trouble impartially to peruse it, with the Proprietary's Answer; for he not only approved of the Assembly's Proposition, but promised, "He would in the most effectual Manner recommended it to the Governor, to join with the Assembly in all Acts necessary for those good Purposes." *Now, what can be more unreasonable, than to suppose, that the Assembly, at the Time they were addressing the Proprietary for a Favour to Foreigners, should have so great a Dislike to them, as to be against the future Importation of them? Or, that the Proprietary should agree to such a Proposition, in the Sense the Governor contends for; when it is evident, the greater the Number of People which come into the Province is, the more the Proprietary's Interest is advanced. Be this as it will, we have already declared all we understand the Assembly at that Time had in View. It is true, there has been a considerable Change in the Members of Assembly since that Time, and those who had the principal Conducting of that Affair (now no Members of our House) but such as, we presume, have since had no small Share in the Governor's Confidence, who, for aught we can say, may have had and communicated to him their different Views. If these be the Persons who looked with jealous Eyes on the* Germans, *as it is more than we know, so we think ourselves under no Obligations to justify their Conduct.*

And the Message being signed by the Speaker, by Order of the House; it was

Ordered, That *John Hall*, and *Mahlon Kirkbride*, wait upon the Governor with the same; and acqaiut him, that the House

have also had under their Consideration the Resolves of the Council referred to in this Message, and have made some Proceedings thereon; that if the Governor is desirous of knowing that those Proceedings are, the House will direct their Clerk to copy them, and wait upon him with the same; and that the House inclines to adjourn to the Seventeenth of the next *Third Month*.

The Gentlemen return and report, That they delivered the Message given them in Charge, according to Order; and that the Governor was pleased to say, The Clerk might leave the Proceedings of the House relating to the Resolves of Council, with his Secretary; and that he had no Objection to the Time of Adjournment; then the House adjourned to the Seventeenth Day of the next *Third Month*.

THE House met pursuant to their Adjournment.

Ordered, That *Joseph Trotter*, and *Oswald Peele*, wait upon the Governor, and acquaint him, that the House is met according to their Adjournment, and that if the Governor hath any Thing to lay before them, they are ready to receive it; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same, according to Order; and that the Governor was pleased to say, he would this Morning send the House an Answer to their last Message.

The Proprietaries Secretary attending without, was called in, and delivered to the Speaker at the Table a Letter from the Proprietaries to the House, and then withdrew.

And the Proprietaries Letter was read by Order.

The Governor by his Secretary sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'HAD the Publick Interest been concerned when you sent me your Resolution to adjourn to the Seventeenth Instant, I should have insisted upon, or as least desired your Sitting some Time longer for my Answer to the written Message which was then delivered to me, however doubtful I had Reason to be of obtaining that *Favour*, since it had been denied when a Matter recommended by his Majesty himself, was under Consideration. But as that Message contained little more than a Repetition of your former *Civilities*, or was but

another Instance of the *Sincerity* of your Professions for restoring the Peace of the Province; I was not willing to increase the publick Expence on Account of a Matter purely personal, and which I was noways apprehensive could affect me in the Opinion of any impartial Observer upon my Conduct.

As the Committee of the Council, appointed to consider the Report of a Committee of your House on the Proceedings of the late and present Assembly relating to unhealthy Vessels, have fully answered all that has been objected in that Report, it is needless for me to say much upon that Subject; wherefore, in Imitation of that nice *Decorum* observed by you in a verbal Message at the Time of your Adjournment, *I refer you to the Clerk of the Council for a copy of that Report, if you are desirous of seeing it.* But as the House have resolved, "That for the Governor and Council to draw in Question, arraign and censure the Proceedings of the Representatives of the Freemen of this Province in Assembly met, after the Adjournment of such Assembly, is assuming to themselves a Power the Law hath not intrusted them with, is illegal and unwarrantable, a high Breach of their Privileges, and of dangerous Example;" it may not be improper to observe, that, when the Resolves of an Assembly are to be received as Laws, we must submit not only to this, but to all such as they shall think fit to make: But as this is not the Case yet. nor will be, until the Assembly have siezed all the Powers of Government into their own Hands; you must excuse me if I insist upon seeing the Law which impowers an Assembly to supersede the Governor's Appointment, or to transfer a Power, vested by Law in the the Governor and Council, to any other Magistrates; and I promise you, when that is produced, to shew you another to support the Governor and Council's Right *to arraign and censure the Proceedings of the Assembly after their Adjournment.* At present I am so far from agreeing that it is a Breach of the Privileges of the House of Representatives, that I think it would have been criminal not to have censured those unprecedented Proceedings; as it would have been a Submission to an Usurpation of very *dangerous Example.* Had that Assembly, however, sent me their Resolves whilst they were sitting, I should indeed thought that the properest Time for animadverting upon them; but as they were secreted for some Time, and not delivered to the Mayor of this City until several Days after their Adjournment; and as there was no Likeihood of that Assembly's sitting again, it was thought necessary to nip such an extravagant Production in the Bud, lest the *Privilege* of issuing Edicts, and ap-

pointing all publick Officers, should be ingrafted upon it, by some future Assembly as enterprizing as the last. To conclude all upon this Supject, I think it might be, with more Justice, resolved by myself and Council, that, for the Assembly to supercede the Governor and Council's Appointment of a Doctor to visit unhealthy Vessels, and to transfer a Power, vested by Law in the Governor and Council, to other Persons, by a bare Vote of their House, and even without the Privity of the Governor and Council; and to require Obedience to such Vote or Resolve, by serving it upon the Mayor of this City *after the Adjournment of that House; is assuming to themselves a Power the Law hath not intrusted them with; is illegal and unwarrantable, an high Invasion* of the Powers of Government; and *of very dangerous Example.*

To add any Thing in Proof of the Jealousy entertained of the *Germans,* is almost as unnecessary as to spent Time in proving that the Sun shines in a clear Day. The Uneasiness of many of those who deny the Lawfulness of Arms, at the Importation of Foreigners bred up to the Use of them, is so generally known, that the Disputing it would be Matter of as general Wonder, were not the Reasons for it well understood. The *Germans* have been of Service to you in some late Elections, and are so numerous, that it is now become necessary to court them to chuse you again: The Act, however, for laying a Duty of *Forty Shillings per* Head, in 1729, *to discourage the Importation of Foreigners,* will be a lasting Memorial of that Jealousy. And altho' you have labour'd hard to explain away that Part of the Address to the Proprietary, which was quoted in my last Message; as the *Germans* were not the People complained of for having unwarrantably settled themselves upon the Proprietarys Lands, the voluntary Engagements, to guard against the Dangers *which may arise from the great and frequent Importation of Foreigners,* will be construed by all that know any Thing of that Matter, to have been the Effect of Fear and Jealousy of them, and of Resentment against me, for my just, tho' unacceptable Commendation of the Industry of those People. That the Proprietary saw it in the same Light, is evident from his Answer, which is general, and does not take the least Notice of the *Danger* apprehended from the *Importation of Foreigners.*

As to the Gentlemen *now no Members of your House* (which they think a peculiar Happiness, as not being chargeable with your Proceedings) some of you cannot be ignorant,

notwithstanding what is insinuated in your last Message, that they opposed that Part of the Address relating to Foreigners, as they had before every Thing that tended to clog the Importation of them; but they were borne down by the Stream: And altho' you may not be willing to allow them the Merit of having acted with a View to the Publick Good, you must own, this was most agreeable to their private Interests, as they had more Land to dispose of than all the other Members of that Assembly. With these Gentlemen, I confess I have lived in *Confidence;* and as they carried on the Publick Affairs with Reputation, and were the Leaders of some that are now yours, you ought to be the last to object to that Confidence. If it be criminal in them and their Friends to have since supplied me with Money, after the Assembly had declared, that *they could not chearfully accede to the Measures recommended by his Majesty, or come into the Levying of Money, and appropriating it* for obtaining Satisfaction for national Injuries and Affronts, from whence his Majesty would have been disappointed of the Assistance expected from this Province; you may with some Justice reproach me with that Confidence; But if this be Praise-worthy, my *Confidence* has been well placed; and their Friendship is an Honour to me.

That you may not give Occasion to charge you with a Deviation from your wonted Good-nature, you have been pleased to tell me, that *Accusations and Complaints ought not to be new Things to me, whilst the Cause of them remain.* This is taking a Thing for granted, which ought to have been first proved. Taking it for granted that a Man has committed a felonious Act, he may be pronounced to have deserved Punishment; but if the Accusation be false; it will be a full Proof of the Wickedness and Malice of the Accuser, but cannot in Justice affect the Reputation of the Person accused. The Assembly transmitted an Accusation against me by Way of Petition to his Majesty in Council; and the poor Man you call your Agent, ran about with it to several of the most eminent Council in *England;* but being told, that it could not be expected his Majesty should censure a Governor for a punctual Obedience to his Commands, in a Matter of the highest Concernment to the Nation; and being unable to prevail with any one of them to appear in Support of that Petition, he thought it best to decline a publick Examination into the Matter, lest the Behaviour of his Employes should appear to merit that Censure which they had kindly meditated for their Governor.

If his Majesty, after my Letters relating to the Expedition, and a Copy of the Assembly's Proceedings, had been laid before him vouchsafed to signify his Approbation of my Conduct on that Occasion; and that this appears by his Grace the Duke of *New-Castle's* Letter, communicated by me to the Council here, it is as evident, *That the Applause*, as your call it, *is not of my own bestowing*, as it is, that your Language and Behaviour shew a Contempt of his Majesty's Sentiments, as well as a Departure from the Decencies Observed by all other publick Bodies towards Persons in Authority. *That you have no other Credentials but my own*, is by no Means to be wondered at, since his Majesty has not commanded his Ministers to hold Correspondance with you; nor was it for your Agent's Interest to inform you of a Thing so disagreeable to you as the King's Approbation of my Conduct; neither is he indeed of Consequence enough to have come at the Knowledge of it, otherwise than by corrupting some inferior Clerk of an Office.

After you have thus civilly called me an Impostor, in bestowing upon myself an Approbation which you insinuate the King never gave, you go on to impeach my Integrity, in clandestinely attempting to deprive you of those religious and civil Liberties which I had solemnly promised to support. If you mean by this, that I did very fully represent the Abuse of those religious and civil Liberties, as well in regard to the defenceless Condition of this Province, as to the King's Instructions laid before the Assembly relating to the Expedition; and that I did at the same time shew, in the clearest Manner I was able, how the King's Honour and the Interests of our Mother Country may in future Times be affected by the like rash and undutiful Proceedings; it is in my Opinion, so far from being an Instance of my Want of Integrity, that I glory in having preferred Obedience to *his Majesty's Commands, to give his Ministers a particular Account of all my Transactions upon that Occasion*, to the private Advantages which would have attended my acting a different Part. And further, If resentment for imaginary Injuries, or even an Opposition to your Sentiments, can be justified by your Example; that surely will be an ample Justification of me where the Injuries were real, and without Provocation. The Assembly, laying aside Truth and good Manners, first publickly defamed me in their Messages; they stopt my Salary; they petitioned the King against me; and they employed Men (some of them without Shame or common Honesty) to procure the Depositions of Blacksmiths Boys, and such

like Rabble, so support it, and then clandestinely transmitted them to *England*, without ever doing me the Justice, due even to a Criminal, of seeing or hearing the Charge or the Evidence. But if Resentment is not to be justified in any Case, no reasonable Man will blame a Conduct that was render'd *necessary* to guard myself against a Stab in the Dark, which was intended both to blast my Character, and to ruin my Fortune. The Freemen of the Province will judge well and honestly when they are left to their own Judgments: But, to prejudice them against me, the Seeds of Dissention have been plentifully sown, and carefully nourished, by the grossest Misrepresentations and Falsehoods. When a Petition has failed, a Representation, or more properly, a new Calumny, has been projected to amuse them; and the Craftsmen proclaimed aloud, that their Privileges were in Danger: Many, notwithstanding, have been too cautious and wise to be caught with such Baits: And I make no Doubt of living, by the Blessing of God upon my honest Intentions, to see all *honest* Men made sensible, that Danger to their religious and civil Liberties must arise from the Malice and Self-interested Designs of these or such like Men. You cannot be ignorant that the last Assembly have been charged with another Piece of Art in the Distribution of the Publick Money, by the Partiality shewn in paying the Masters of such Servants as inlisted themselves in the King's Service upon the Expedition, not according to their Value, but to the Masters Approbation or Disapprobation of that Assembly's Proceedings. You have it in your Power to confute this Aspersion, if it be one; by publishing an Exact List of the Names of such Servants; in what Company they inlisted; their Masters Names; their Trades; the Dates of their several Indentures; the Time each Man had to serve; and the particular Sums paid.

In my last Message, I said that *Fifteen Hundred Pounds* of the *Two Thousand Five Hundred Pounds*, paid for Servants, had been stopt out of my Support: In Answer to which, you tell me, *I may remember, that since my Accession to the Government, I have received divers Sums of Money, arising by Fines, Forfeitures, licensing Publick-houses, and other Perquisites of Government, amounting, from the best Judgment you can form, to near* One Thousand Pounds per Annum, *which is double the yearly Salary some of your former Governors received*, and then, according to your accustomed Charity, you represent me to the World as a publick Robber, by adding, *some of which you have no Right to.*"

Whoever considers what was alledged by me, that you had stopt *Fifteen Hundred Pounds* of my Support, will see that this is an Answer as much to the Purpose, as if you had given me an Account of the last Year's Clouds. Wherefore, were it not that my Character is again struck at, I should think it mispending Time to make any other Reply to it, than that most of the Members of the present Assembly have received double the Wages that former Members received in the like Time, without doing one single Act in two Years and an Half for the Publick Service. But before I proceed to a Vindication of myself, give me Leave to say, that you would have shewn more Exactness, if you had distinguished betwist the Perquisites of this Government and those of the Lower Counties; for I conceive you have no more to do with what related to that Government, than you have with the Income of my own private Estate. To that Assembly, and their Constituents, I am pleased with every Opportunity of making my Acknowledgments for the Provision they have annually made for my Support; but more particularly, for the Justice they have done to my Administration; for from hence it will be concluded by all unprejudiced Persons, that the Names of Impostor, Plunderer, Invader of the Liberties of the People, *&c. &c. &c.* are the Result of personal Prejudice, or of a malignant Party Spirit. Forgive this Disgression, if you ever do forgive the Man that tells you disagreeable Truths, and I will return to the Point, and own to you, that the Perquisites of this Province have amounted to between *Six* and *Seven Hundred Pounds per Annum*, one Year with another; and that I may do you some Pleasure, I will own to you likewise, that I have spent above *One Thousands Pounds* more than ever I received from both Governments, in supporting the Character of a Governor; which I was weak enough to think would be a Reputation to this Government in particular. This, you say, is double the yearly Salary some of your former Governors received, altho', by the Way, I have received no Salary at all from you for the two Years past; and altho' the two last Governors, Sir *William Keith*, and Major *Gordon*, received the same Perquisites, and *One Thousand Pounds per Annum* Salary besides, I expect you will answer, that as the Number of People is increased, the Perquisites must have done so in Proportion; but it would be an Affront to your Arithmetick to suppose any of you can really think that *Six* or *Seven Hundred Pounds per Annum* Perquisites, is equal to *One Thousand Pounds* Salary, and the Perquisites of those Times too; or that the Difference of

Perquisites is more than equivalent to *Twenty* or *Thirty per Cent.* Difference of Exchange, and as much in the Price of all Sorts of Provisions.

To shew, however, your Skill in accounting for this prodigious Income of mine, you tell me how it has arisen by Fines, Forfeitures, *&c.* For Fines and Forfeitures I have not received *Ten Pounds* a Year, one Year with another, in this Government. Fines have generally fallen upon necessitous People; and, I thank God, I have always had Humanity enough to remit them, rather than suffer such as were really so to languish in a Goal, and remain a Burden upon the Counties.

I come now to your grand Charges, the Taking Money *to which I have no Right.* And I shall give you a full Answer to it, tho' it is far from my Intention to acquiesce under your Determination, either as to my own Right, or to the Rights of my Successors. The Charge itself must indeed appear to every impartial Person to be the Effect of Disappointment in your Attempts to reduce me to such a Complaince with your Pleasure as would be a Scandal to my Station, and which I could never be so mean as to submit to, tho' you had it as much in your Power to wrest the Perquisites of the Government out of my Hands, as you have had to stop my Salary.

As to the Fees taken by my Secretary for my Use, they are the same that have been taken for above twenty Years by my Predecessors, Sir *William Keith*, Major *Gordon*, and Mr. President *Logan*, and are either of Right by Acts of Assembly, or are countenanced by the Practice of most other Governments in *America*, from whence the Governor's Right to them here has never been questioned by any former Assemblies, of as much Zeal for the Publick Good, and of Knowledge at least equal to the present. I have made it a Rule not to exceed in any one Instance, and have always refused Fees for Business done, if not included in the List of Fees delivered to me by the late Governor's Secretary. I have never taken directly or indirectly, either myself, or by any other Person, any Sum or Sums of Money, or the Value of Money, by Way of Present, Gratuity, or in any other Way whatsoever, for Charters, Commissions, or any Offices of Profit; altho' Money has been offer'd, and the Example of other Governors urged for my taking it. I rejected such Offers, lest the Taking Money should prove an Encouragement for Extortion, and disarm me from punishing the Crime as it deserves. And now I defy my most inveterate Enemies

to prove one single Act of Corruption upon me in an Administration of four Years.

After you have charged me with taking what I have no Right to, you cannot justly be offended if I ask, what Right have you to take your Wages out of the Publick Money, in direct Opposition to a known Law of the Province, ordering the Payment of them in another Manner? This, perhaps, does not appear to some to be a Matter of much Consequence, but if well considered is of the most dangerous. For if you have Power to dispense with one Law, by a Resolve or Order of your House, you have Power to dispence with all Laws. If you can alter the Mode of Payment, by Vote, you may increase the Sum; and instead of *Six Shillings* a Day, you may take *Six Pounds*, or what you please. And if you can by Vote revive the Act for the Payment of Assemblymens Wages out of the Interest Money arising from the Loan-Office, which was but temporary, and has been long since expired, you may impose what you please as Laws upon your Fellow Subjects, and by thus assuming to yourselves the whole Legislative Power, their Lives, Liberties and Properties, will be dependent upon your Sovereign Will and Pleasure.

Thus much I have thought proper to say in Answer to your last Message. To follow you through all your Doublings would be a Work of great Labour, and does not appear to me anywise necessary for the Publick Service. I proceed therefore to recommend to you a dispassionate Review of the Proceedings of Assembly for more than two Years past; and then I shall be glad to know what mighty Advantages have been gained for the People you represent. Has the Publick Money been saved by refusing to grant *Three*, or at most, *Four Thousand Pounds* to encourage Freemen to inlist in the King's Service, and to transport the Troops raised for the Expedition; and instead of this, expending near *Eight Thousand Pounds*, in paying for Servants (which a small Bounty would have been prevented) in long Sittings, and in numerous Committes for drawing Petitions. Representations and Messages in the Salaries and Expences of an Agent, and an Agent Assistant, and in Fees to Lawyers; and lastly, in a Grant,* made out of Time, unprecedented, and thought by many to be illegal? Has the Honour of the Province been advanced, or the Favour of the Crown or our Mother Country been engaged against an approaching Time of Need, by the distinguishing Behaviour of the Assembly here from all others in *America?* Have the odious Insinuations and bitter Invectives thrown out against me, been of Use to convince the

World of your Meekness and Moderation, or have they been for the Reputation of the religious Society of which you call yourselves Members? Perhaps you will say, it is enough to have opposed a designing and arbitrary Governor: But this will be only calling Names without any Proof of my being such a Person. If I know any Thing of myself, I am as much a Friend to Liberty as the most zealous Asserter of it in the Place; though I differ from some in thinking that the best way to preserve it is to Use it with Discretion, and Reverence to the Crown, and not to break down the Boundaries between the Rights of the Government and the Rights of the People. A People may grow wanton with Liberty, and History furnishes us with Instances of some that have lost it by an Abuse of it. I sincerely wish this may never be your Case.

I pretend not to Infallibility; but if I have committed Faults in the Administration of the Publick Affairs, they have been the Faults of my Judgment, and not of my Will. My Adversaries, however, after all their Pains, have not been so lucky as to hit upon one. That I have Enemies, is no Proof of my Demerit, for the best Princes, and the best Governors in all Ages, and in all Countries, have had their Revilers; and it will be so, until all Men shall be brought to think and act upon the same Principles. I have not the Vanity to rank myself amongst the best Governors; because to render a Man such requires greater Talents than I possess; but it will not be Vanity in me to say, that I have clean Hands, and an honest Heart. From hence I can with Confidence ask, Have I invaded any Man's Property? Have I illegally deprived any Man of his Liberty? Have I refused Mercy where Mercy could be shewn without Prejudice to the Society? Or have I withheld the Sword where the Publick Safety required it should be used for the Punishment of evil Doers? My Crimes, my only Crimes are, that I have refused to put on the Leading-strings which some Men were vain enough to have prepared for me; and that I have removed those from Places whose Behaviour has rendered them unworthy of the Trust committed to them.'

May 18, 1742. GEORGE THOMAS.

Ordered, That the Letter from the Proprietaries, and the Governor's Message, be again read and considered To-morrow Morning.

A Bill for the more easy and speedy Recovery of small Debts was read the first Time, and ordered a second Reading; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Committee appointed to prepare a Plan of an Hospital, and make an Estimate of the Expence of building and maintaining the same, and to consider of a proper Place for it, reported,

"*That upon Enquiry for a proper Piece of Land for that Purpose, they found the Neighbourhood much alarmed wherever they seem'd inclinable to make a Purchase; but while they were under this Difficulty a valuable Tract of Land, called* Fisher's Island, *was to be sold by Publick Auction, which was in its Situation, and every other Respect, more commodious than any other Place in the Province, would daily increase in its real Value, and might be made to answer the Purposes referred to their Consideration, at a small Expence added to the Buildings already upon the said Island; but the Time being fixed for the Sale before this House were to meet, as many of the Committee as were in Town, and could meet together, agreed to make the Purchase of the said Island, and it is accordingly purchased in Behalf of the Province, if the House approve the same. This Purchase, the Committee are of Opinion, instead of creating any Charge for a Person to take Care of the Pest-house, will yield an annual Income to the Province: And any further Expence the Committee think should be borne by the Vessels or Persons who import the Sick, which may best be provided for and explained in a Bill for that Purpose.*"

Then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Letter from the Proprietaries to the House was again read, and considered; and, after some Time spent therein,

Ordered, That *Isaac Norris*, *Thomas Leech*, *Robert Jones*, *Oswald Peele*, *Israel Pemberton*, and *Samuel Blunston*, be a Committee to prepare a Draught of an Answer to the said Letter, and lay the same before the House.

The Governor's Message was again read, and referred to further Consideration; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Bill for the more easy and speedy Recovery of small Debts, was read a second Time, and ordered to be ingrossed.

A Supplementary Bill to the Act for electing Members of Assemnly, was read the first Time, and ordered a second Reading.

A Bill to require sundry Officers in the County of *Philadelphia* to deposite the Records, publick Papers, *&c.* in their Custody, in the Offices adjoining to the State-house, was read the first Time, and ordered a second Reading.

The Report of the Committee relating to the Pest-house, was taken into Consideration, and, after some Time spent therein, the Purchase made by the said Committee was approved of, and agreed to by the House; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Bill for the more easy and speedy Recovery of small Debts was read a third Time;

Resolved, N. C. D. That the Bill do pass.

Ordered, That *Mark Watson*, and *John Owen*, carry up the same to the Governor for his Assent.

The Gentlemen return, and report, that they had waited on the Governor, and delivered the Bill to him, according to Order; and that the Governor was pleased to say, he would take the same into Consideration.

The Bill, intituled, *A Supplement to the Act for electing Members of Assembly*, was read the second Time, and committed to the Gentlemen that brought in the same for Amendments; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor's Message was again read, and considered; and, after some Time spent therein,

Ordered, That *Thomas Leech*, *Isaac Norris*, *Israel Pemberton John Watson*, *Abraham Chapman*, *Joseph Harvey*, *Samuel Blunston*, and *John Wright*, be a Committee to prepare a Draught of an Answer to the said Message, and report the same to the House; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

Two Letters from the late Agent were communicated to the House by the Speaker, and read, requesting the Payment of a Ballance of *Fifty Pounds*, *Nine Shillings*, and *Sevenpence*, which he claims as due to him for Service done the Province; and it was referred to *Isaac Norris*, *Thomas Leech*,

and *James Morris*, to enquire into said Demand, by reviewing the Accounts; and that they report thereon to the House.

A Bill, intituled, *A Supplement to the Law for erecting Pounds*, was read a first Time, and ordered a second Reading; then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met, and adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Bill enjoining sundry Officers in the County of *Philadelphia*, to deposit the Records, *&c.* in their Custody, in the Offices adjoining to the State-house, was read a second Time, and committed for Amendments to the Gentlemen that brought in the same, to whom are added *Samuel Blunston*, and *John Hall;* then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Bill for continuing and amending an Act, intituled, *A Supplement to the Act for electing Members of Assembly*, was read, with sundry Amendments, and ordered to be ingrossed; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read by Order, and ordered to be again read and considered in the Afternoon.

An ingrossed Bill for continuing and amending an Act, intituled, *A Supplement to the Act for electing Members of Assembly*, &c. was read a third Time, and

Resolved, N. C. D. That the Bill do pass.

Ordered, That *Thomas Leech*, and *Isaac Norris*, carry up the same to the Governor for his Assent; and that they acquaint the Governor, the House desires to know what Progress he hath made in the Bill for the more easy and speedy Recovery of small Debts, some Time since sent him for his Concurrence.

The Gentlemen return, and report, that they delivered the Bill to the Governor, according to Order, together with the Message of the House; and that the Governor was pleased to say, the former Bill was under Consideration, and he would likewise consider the Bill now laid before him; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Answer to the Governor's Message was again read, Paragraph by Paragraph, and considered;

Ordered, That the same be transcribed, in order to be sent up to the Governor; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Speaker communicated to the House some Letters from the Agent, which were read.

A Bill intituled, *An Act to enable divers Protestants Aliens to become naturalized; and to remedy the Inconveniences which have arisen, or may arise, by Purchase of Lands within this Province, made by such Aliens before their being naturalized;* was read the first Time, and ordered a second Reading; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

'DID the Controversy which unhappily subsists between the Governor and us appear to us in that Light in which he is pleased to say it does to him, 'A Matter purely personal' and 'the Publick Interest' unconcerned, we should have chosen Silence, rather than an Answer to his last Message: But whilst we conceive there is a manifest design against the Liberties of the Freemen of this Province, and every Occasion taken to misrepresent our Conduct, to facilitate the Obtaining of this End, our Vindication, as it is just, becomes indispensibly necessary, and must apologize for this further Address.

Sitting upon our own Adjournments, is a Privilege granted us by Charter from our late worthy Proprietary, and afterwards confirmed by an Act of Assembly; But we know of no Reason given the Governor to complain of our last Adjournment, since, on our communicating to him our Intention of so doing, he was pleased to let us know, 'That he had no Objection to the Time proposed.' And if we have exercised the same Power, when a Matter recommended by his Majesty himself was under Consideration,' it was when we were of Opinion it might be done without Injury, and consistently with that Duty and Loyalty every good Subject owes to his Prince: Permit us therefore to remark, that we look upon

this as an Artifice to interest 'his Majesty,' who, in our humble Opinion, was altogether unconcerned in the Adjournment. The Irony on the Civilities of our former Message, and the Doubts formed of the 'Sincerity of our Professions for restoring the Peace of the Province,' are equally kind: And we admit it was prudently judged, 'not to encrease the Publick Expence,' after having occasioned so much of that kind before.

'The Governor is pleased to inform us, That 'a Committee of the Council, appointed to consider the Report of a Committee of our House on the Proceedings of the late and present Assembly, relating to unhealthy Vessels, have fully answered all that has been objected in that Report.' To which we answer, whenever the Governor shall be pleased to make their Acts his own, and communicate them as such to us, the Respect due to his Station will intitule them to be considered; without this, as the Council are, by our Constitution, no Part of the Legislature, they have, as Counsellors, no more Right to intermeddle with the Proceedings of Assembly, than any other like Number of the Freemen whom we represent. They are, it is true, a Council of State, and as such are bound faithfully to advise the Governor, when he condescends to ask them. If they perform this, they discharge their Duty; and whenever they assume a greater Power, they exceed the Bounds of their Appointment: And if the Governor takes the Liberty of acting with or against their Advice as he thinks proper, we know of no Obligations we are under of having a greater Regard to them. To 'refer us therefore to the Clerk of the Council for a Copy of that Report,' might have been spared, as a Thing of no Use.

The Resolves of the Assembly are not Laws, nor have been contended for as such by us: And yet, when they are well founded, will have proper Weight. If any Number of Men within the Province, against the Tenor of such Resolves, shall exceed their Duty, and subject themselves to the Penalties inflicted by the Laws, it will aggravate the Offence, and the Punishment ought to be proportioned to it.

The Governor is further pleased to say, 'We must excuse him, if he insists upon seeing a Law which impowers an Assembly to supersede the Governor's Appointment (that is, of a Doctor to visit unhealthy Vessels) or to transfer a Power, vested by Law in the Governor and Council, to any other Magistrates. And we hope the Governor will excuse us, when we say, That he takes a Fact for granted, in which we are

not agreed, and which it is incumbent on him to make good, *viz.* That the Assembly did supersede, or contended they had Right to supersede the Governor's Appointment; until when the Consequences deduced on the Supposition it was done, must fall to the Ground. And whenever he shall be pleased to undertake that Task, he will oblige us, if he will also shew any Right he or the Council have, by law, to make such an Appointment, exclusive of the Assembly, to be paid for by the Province. And if they had a Right to such Nomination, it could give them no Power to arraign and censure the Conduct of the Assembly at any Time, much less after an Adjournment; the Design and Consequences of which were justly censured by the Assembly. Hence it is evident, where 'Usurpation' is justly chargeable, from whom the Danger of 'issuing Edicts'—of seizing all the Powers 'of Government' is to be apprehended, and whose extravagant Productions they are, that ought to be 'nipt in the Bud'.

In the Speech made by the Governor to the Assembly in 1728 (of which Assembly now two only are Members of this House) he was pleased to acquaint them 'That he had positive Orders from *Britain*, to provide, by a proper Law, against the Crowds of Foreigners, who are yearly poured in upon us.' The Assembly by a Message desired the Governor to communicate those Orders to them. He answers them, 'The Orders he received was a private Letter from the Proprietary Family.' Upon which the Bill, intituled, *An Act for laying a Duty on Foreigners*, &c. was brought in, and past in the Year 1729. And it appears by the Minutes of that Assembly, that the same Person had the principal Conduct of that Act, who afterwards prepared the Address to the Proprietaries, mentioned in the Governor's Message; and the Words, 'For guarding against the Dangers which may arise from the great and frequent Importation of Foreigners,' are interlined with his own Hand-writing. One of the Gentlemen, *who had so much Land to dispose of*, carried up the Address; and how those, who by our Minutes appear to have had the principal Management of the Affair, should be the same Persons that opposed that Part of the Address, relating to Foreigners, and every Thing that tended to clog the Importation of them, 'appears to us as improbable, as that the same Persons, who carried on the Publick Affairs, with Reputation, and were Leaders, *&c.* should yet be borne down with the Stream.'

What Merit they may have since obtained in 'supplying the Governor with Money', we do not know. If the Merit

consisted in purchasing the King's Bills at an easy Exchange, once publishing it to the World, we think, might have been sufficient. But where we have reproached the Governor with these Gentlemens Confidence, we do not know; nor have we ever envied them the Honour of that Confidence. If their Assistance became necessary, and without which 'his Majesty would have been disappointed of the Assistance expected from this Province,' it must have been owing to the Governor's Misconduct in the Encouragement he gave to the Inlisting and Carrying away so many Hundred Servants, which since cost the Province near *Two Thousand Six Hundred Pounds.* For, tho' it is true the Assembly did declare, they could not appropriate any Money to the Uses required, yet they had determined to give *Four Thousand Pounds* to the King's Use, and prepared a Bill for that Purpose, which might have passed, had not the Inlisting so many Servants prevented it.

This put the Assembly on preparing a Petition to be presented to the King in Council, complaining of the Abuse, and, we think, with very great Reason. But that, 'our Agent ran about with it to several of the most eminent Council in *England,*' or, that he received for Answer, 'that it could not be expected, his Majesty should censure a Governor for a punctual Obedience to his Commands, *&c.*' or, 'that any one of those Council refused to be employed' is what we do not know, nor, till by his Message, ever heard of. And, as he is so frequently deceived in his Intelligence, concerning Matters transacted much nearer to him, he must excuse us, if we suspend our Belief until we are better satisfied of the Truth of the Facts. This we have the greater Reason to do, since we are credibly informed, that the Inlisting of Servants has not been thought a punctual Obedience to his Majesty's Commands,' nor is likely to receive his royal Approbation. But why, 'the poor Man we call our Agent'? He has been Agent for most of the Northern Colonies, and of some of them many Years; and for aught we ever heard, acquitted himself to the Satisfaction of his Employers. Had we made Use of these diminutive Epithets, and treated this Gentlemen in the Manner the Governor is pleased to do, it might have been called, and not unjustly 'a Departure from Decency.' However, we are sufficiently apprised of the Cause why he shares so deeply in the Governor's Resentments.

The Governor is pleased further to add, 'If his Majesty, after my Letters relating to the Expedition, and a Copy of the Assembly's Proceedings, had been laid before him, vouch-

safed to signify his Approbation of my Conduct on that Occasion; and that this appears by his Grace the Duke of *New-Castle's* Letter, communicated by me to the Council here, it is as evident, that the Applause—is not of my own bestowing, as it is, that your Language and Behaviour shews a Contempt of his Majesty's Sentiments, as well as a Departure from the Decencies observed by all other Publick Bodies towards Persons in Authority.'

Permit us to observe, the whole of this Paragraph is hypothetical; nothing is directly affirmed by it, 'his Majesty' may or may not have signified his Approbation, notwithstanding any Thing herein contained. That some Part of the Governor's Conduct may have obtained his royal Approbation, we have no Reason to question; but that the Approbation so bestowed, was, as this Paragraph seems to make it, the Result of the King's Judgment on Consideration of the Governor's Letters and the Assembly's Proceedings, we own, we do doubt: And if there be not stronger Evidence of the Truth of it, than 'that our Language and Behaviour shews a Contempt of his Majesty's Sentiments,' there is none at all. Nor are we conscious of having 'departed from the Decencies observed by all other publick Bodies towards Persons in Authority.' If the Governor will be pleased to reflect with what manifest Irony and Contempt he has thought fit to treat us, we think it not reasonable he should have expected smooth Language, and abject Submission in Return. When Controversies happen, it is difficult managing them with so much Delicacy as to avoid giving Offence: We may have shewn some Zeal, but, we hope, no where exceeded the Bounds of Decency.

The Governor is pleased to proceed, 'after you have thus civilly called me an Imposter, in bestowing upon myself an Approbation which you insinuate the King never gave, you go on to impeach my Integrity, in clandestinely attempting to deprive you of those religious and civil Liberties which I had solemnly promised to support.'

That the Governor, by the Trust reposed in him, ought to support us in our religious and civil Liberties, and that he had solemnly promised so to do, we presume he will not deny: And if, notwithstanding these solemn Promises, he hath actually attempted to deprive us of those Liberties, had we not reason 'to impeach his Integrity'?

Among other Privileges we at present enjoy, the Assembly have the Right to sit on their own Adjournments; to dispose

of the Publick Money; and the People called *Quakers* have Right, when duly elected, to sit in the Assembly.—All these Privileges, it is plain, from the Tenor of the Governor's Letter to the Lords for Trade and Plantations, he represented as inconsistent with his Majesty's Service; and left no Room to doubt, but that it was thus done to the Intent those Privileges should be taken from us.

His Majesty's Commands to give his Ministers a particular Account of all his Transactions upon that Occasion,'—(which we presume related only to the Soldiers latey raised and sent to the *West-Indies*) can be no Excuse for this extraordinary Conduct: For those Commands might have been fully obeyed by relating the Transactions which happened in that Affair only. But the Governor thought fit to go further, and offers his Sentiments against these Privileges, representing them unfit for us to hold, under Pretence of their being not for his Majesty's Service. Did 'his Majesty's Commands' require, that the People of this Province should be charged with carrying on Manufactures at very cheap Rate, directly interfering with the Trade of their Mother Country? If this be what the Governor can glory in, let him glory on: his Glory will be little envied, and perhaps as little honoured.

Resentment for Injuries done, is the next Reason the Governor is pleased to assign for this unnatural Attack upon our Charter and Privileges; and those Injuries are enumerated in the Words following: 'The Assembly laying aside Truth and good Manners, first publickly defamed me in their Messages; they stopt my Salary; they petitioned the King against me, and they employed Men (some of them without Shame or common Honesty) to procure the Depositions of Blacksmiths Boys, and such like Rabble, to support it, and then clandestinely transmitted them to *England*, without ever doing me the Justice, due even to a Criminal, of seeing or hearing the Charge or the Evidence.' On so extraordinary an Occasion, the Governor must excuse us, if we call upon him to shew one Instance of that Assembly's 'laying aside Truth,' or 'publickly defaming him.' Whenever he shall attempt this, he must allow us to think his Evidence will fail, and that he can no more make it appear, than he can, that the same Assembly did 'employ Men (some of them without common Shame or Honesty) to procure Depositions;' when, in Truth, neither the Assembly, nor any other Person, with their Privity, or by their Directions, ever took any Depositions against the Governor; nor did they, nor any Body for them,

send Home any such Depositions. May we not then justly ask, who it is that hath 'laid aside Truth' in these Instances.

That that Assembly did prepare a Petition to be presented to the King against the Governor, complaining of the Encouragement he had given to the Inlisting and Carrying away Servants from their Masters, is true; and the Governor, if he pleases to recollect, may remember, that they more than once signified to him their Intentions of so doing; And as that Petition was intended to seek Redress in this Particular only, the Assembly did not think themselves obliged to give thē Governor a Copy of it, though, if he had desired it, we presume, it would not have been refused him.

The presenting of Petitions is the Right of every of the King's Subjects when they think themselves aggrieved; and the Comparison of 'a Stab in the Dark,' as it is applied to a Petition intended to be presented to the King in Council, we think is neither applicable nor decent. It was intended neither 'to blast the Governor's Character,' nor ruin his Fortune.' (as he is pleased to say,) but to obtain Justice.

Who they are by whom 'the Seeds of Dissention have been plentifully sown, to prejudice the Freemen of this Province against the Governor,' or who 'by the grossest Misrepresentations and Falsehoods have nourished them,' the Governor has not thought fit to point out: If any Part of the Charge be intended against us, we must take the Liberty to deny it.

Had the Governor been pleased to say, a Representation, instead of Petition, had failed, we should have been of his Mind; but that a Petition has failed (if it alludes to the Petition before-mentioned, we think it too early to judge. And it is not very easy for us to apprehend, how a Representation can be said to have 'been projected to amuse' those who never saw it.

Who those Craftsmen are, that 'have proclaimed aloud, our Privileges are in Danger,' the Governor has not informed us: If any such there be, they are among the Number of those who lay Claim to the Governor's Favour. And we differ in Opinion from them: For, though we have too much Reason to know, divers of our most valuable Privileges are attacked by the Governor and his Friends, yet we have so great an Opinion of the Justice of our Cause, that we have not thought them in any real Danger from the Attempt: But if any such Danger there be, it must, amongst 'honest Men,' remain no Doubt from whose 'Malice and Self-interest' it has arisen.

That the last Assembly have been charged 'with a Piece of Art in the Distribution of the Publick Money, by the Partiality shewn in paying the Matters of such Servants inlisted, *&c.* not according to the Value, but to the Masters Approbation or Disapprobation of that Assembly's Proceedings,' is what we heard nothing of until by the Governor's Message. If the mentioning of it in so publick a Manner was with an Intent to give us an Opportunity of acquitting that Assembly, from a Calumny thrown on them without the least Truth to support it, it is a Favour we did not expect; though, in our Opinion, it is not a parliamentary Method of treating an Assembly, to gather up Reports, and publish them, without the least Evidence to support the Truth of them: And to return the Civility, if the Governor shall think it worth his while to peruse such a List as he mentions, we are willing to furnish him with one; from whence he may satisfy his own Judgment as to the Partiality or Impartiality of their Proceedings, and publish it too if he pleases: And if he will be pleased at the same time to demonstrate to the Masters of those Servants how he, who formerly so little regarded their Interest as to encourage the Inlisting and Carrying away of those Servants, should now be so careful about a just Distribution of the Money amongst them, they may entertain a more favourable Opinion of his Conduct than now they do.

As to the Governor's Support, much is said; but a short Answer will suffice. When the Governor complain'd of *Fifteen Hundred Pounds* being stopt out of his Support, we thought it necessary to shew, from the best Estimate we could make, how much he did annually receive from the Government towards his Support. If the Perquisites of Government amount to no more than *Six* or *Seven Hundred Pounds*, it is less than we expected, though even this Sum would have been judged a handsome Support heretofore. Indeed, if the Governor 'hath spent above *One Thousand Pounds* more than he hath received from both Governments,' his Expenses have far exceeded our Expectations, and, we believe, most People greatly deceived, who thought him a much better economist. That Part of the Money received by the Governor, to which we conceived he had no Right, was that of Fines, which, by an Act of Assembly of this Province, are made payable to the Provincial Treasurer, and, in our Opinion, the Governor had no more Right to appropriate to his own Use, without Consent of the Assembly, than any other Money paid there. In making of our Estimate of the Perquisities of Government, we did not include the Lower Counties: And if the Governor

will excuse us in expressing our Sentitments, we believe his mentioning those Counties, was a designed Disgression in Favour of his Administration there: If it were admitted his Government merited Commendation in those Counties, it does not necessary follow he hath committed no Mistake in this. The Servants inlisted belonging to those Counties, were not carried away from their Masters; but, if we are rightly informed, discharged by his Orders, and about the same Time he was pleased to disclaim the Power of doing it here: Therefore no Conclusions can justly be drawn from his Administration there to our Prejudice. If the Names of 'Impostor, Plunderer, Invader of the Liberties of the People.' (with a Tale of *Et cae tera's*) be, as the Governor says, 'the Result of personal Prejudice, or of a malignant Party Spirit;' he may be pleased to remember they are Names of his own bestowing, not ours; and therefore it will not become us to deny, that he is the best judge from what Spirit they proceeded.

The Governor is please next to enquire, What Right we have to take our Wages out of the Publick Money, in direct Opposition to a known Law of the Province, ordering the Payment in another Manner?' The Answer is easy: The Wages received by the late Assemblies were no more than *Five Shillings per Diem*, which is the Sum directed by Law, and was paid by the Trustees of the General Loan-Office in the usual Manner. We know of no Law of the Province it opposes. It is certain, we have a Law directing how Assembly-Mens Wages are to be raised when it is necessary: And it is equally certain, there is another Law in Force, which authorizes the Assembly to dispose of the Interest Money arising on the several Emission of Paper-money, to the Uses they shall think fit: And as that Interest Money has been sufficient to defray the other publick Expence, and Assembleymens Wages too, we had an undoubted Right to apply it in that Manner, to prevent a Tax from being laid on the People, many of whom were but too much burdened by the Injustice done them in carrying away their Servants before: To which we may add, that it has been the usual Method of paying Assemblymens Wages, even in the Time in which the Governor allows the 'Public Affairs were carried on with Reputation.'

As the 'Proceedings of Assembly, for more than two Years past,' have fallen to our Share, it is easy for us to follow the Advice the Governor is pleased to give, 'of a dispassionate Review of those Proceedings.' Many of us have long served

in the Station, and we know of no Time in which there hath been less Debate, fewer Heats, or greater Unanimity, than within the Time the Governor mentions. That 'no greater Advantages have been gained to the People we represent,' ought not to be attributed as a Fault in the Assemblies, unless it had been in their Power. We have indeed, during that Time, been put to a far greater Expence than hath been agreeable to us; and if the Governor had reflected how great a Part of it was owing to his Conduct, he ought to have been the last who should have made the Complaint.

We are told (and it is not the first Time) what Benefits would have accrued from our having given a Bounty to encourage Freemen to inlist; but it does not suit the Governor to remember that such a Bounty would not have prevented the Inlisting and Carrying away of Servants. By his Encouragement many of them were inlisted before the Assembly were called, or had Time to have given a Bounty, had they been so disposed: And, even after the Assembly met, and a Bill was preparing to give *Four Thousand Pounds* to the King's Use, the Governor refused to direct those Servants to be discharged, some few excepted, which occasioned the dropping of that Bill. After this the Assembly came into a Resolution of giving *Three Thousand Pounds* to the King's Use, provided those Servants were discharged: But this was again denied, and this Resolve was represented as an Artifice to keep our Money. When the Servants so inlisted were actually carried away, to the almost irreparable Loss of divers of their Masters, the Assembly, in Compassion to their distressed Circumstances gave about *Two Thousand Six Hundred Pounds*, to make them some Compensation; and have since given upwards of *Three Thousand Pounds* to the King's Use besides. The Legality of this Gift to the Crown is now made a Question, and, instead of being too saving, our Fault is now represented the being too liberal of the Publick Money. Hence, we find, let us do what we will, we are not to escape Censure.

We are ask'd 'Has the Honour of the Province been advanced, or the Favour of the Crown, or our Mother Country, engaged,' *&c.* Of this perhaps we are incompetent Judges. It is for the Honour of the Province, that the Representatives of the Freemen should contend for their Privileges, as Occasion requires, and steadily adhere to them: And as no Assembly would shew a greater Regard to the Commands of the Crown than we, in Matters wherein our religious Perswasions would permit us, so we have no Reason to doubt

the same Indulgence from the Crown and our Mother Country we have hitherto enjoyed. The Charge of 'odious Insinuations and bitter Invectives' is harsh and general, but, we think, mistaken. If, when we have apprehended the Rights and Privileges of our Constituents illegally attacked, we have expressed ourselves with some Zeal, as it was necessary, the World cannot justly call our 'Meekness and Moderation' in Question; nor is it any 'Disreputation to the Society, of which we are Members.'

The Governor is pleased to tell us, 'If he knows any Thing of himself, he is as much a Friend to Liberty as the most zealous Assertor of it in the Place.' We answer, Actions speak louder than Words: When the Governor shall desist from that Complaint by which he seeks to deprive us of ours, we shall have stronger Evidence of the Truth of this, than any we are furnished with at present.

People may, it is true, grow wanton with Liberty, and Governors may play the Wanton with the Liberties of the People. The Memory of what has passed in our own Time, as well as History, afford us Examples of both; and perhaps the latter are the most numerous.

As to the Interrogatories near the Close of the Message, if they are proposed to us, we cannot answer them in the Manner which may be agreeable to the Governor, and therefore desire to be excused from any.

"That some Men have been vain to prepare Leading-strings for the Governor,' we must take for granted, since he is pleased to tell us so: But, if we may be allowed to speak freely, it was not, in our Opinion, his refusing to be led, but because he was mislead, which gave the greatest Occasion of Complaint.

Removing of Officers in an arbitrary Manner, may be justly ranked among the principal Grievances in any Government. The Governor has thought fit to remove divers in this Province; And as this has happened since the unhappy Differences subsisted among us, it could not (as the Governor seems to make it) be the Casue, but must be the Effect, of those Differences. No Complaint was ever made of those Officers, that we have learnt, and therefore there was great Reason to think, it was not because 'their Behaviour had rendered them unworthy of the Trust reposed in them,' because they had more Honour than to sacrifice their Judgments to the Will of a Governor; or, in other Words (if he will allow us to borrow the Metaphor) their 'refusing to put

on the Leading-strings, which some Men were vain enough to have perpared for them.'

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Edward Warner*, and *Samuel Levis*, carry up the same to the Governor; and that they acquaint him, the House are desirous of being informed what Progress he hath made in the Bills that lie before him.

The Gentlemen return, and report, they delivered the Message of the House, according to Orders; and that the Governor was pleased to say, he had the Bills under Consideration, and would give the House his Sentiments on them, with his Answer to the present Message; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor, by his Secretary, sent down a written Message to the House, together with the Treasurer's Account of Expence on *Indian* Treaties, *&c.* with the Vouchers, examined in Council. And the said Message being read by Order, follows in these Words, *viz.*

GENTLEMEN,

'WHILST you continue to misrepresent me to the World in your Messages, and to pursue me with Accusations injurious to my Honour, you ought to excuse me, if I take a reasonable Time for my own Vindication, preferable to any Business you have laid before me; lest Silence should be construed into a Confession of the Matters you have charged me with. For the present, give me Leave to say, That whatever harsh Constructions you put upon my Actions, the Honourable Proprietaries, to whom you appealed, have, after the most impartial Review of your and my Conduct, been pleased to do me amply Justice. I can truly say, that I have done all in my Power for the Security and Welfare of his Majesty's Subjects under my Care, nor do I now think the Treatment I have met with (how much Reason soever I may have to complain of it) can in any Degree discharge me from the Obligations I am under to promote their Ease and Happiness. The Bills you have laid before me, I suppose you judge necessary for these Ends, and as such they will not fail of having their due Weight and Influence with me: Wherefore, I shall keep these, and any orders you shall think fit to present to me, under Advisement, until I see what Resolutions you shall come to for restoring the Publick Peace, Honour

and Justice. If you fully do your Duty, nothing shall be wanting on my Part to render them effectual here, and agreeable to our Superiors in *England.*'

May 28, 1742. GEORGE THOMAS.

The Governor's Message was referred to further Consideration.

The Treasurer's Account was read, and referred to the Committee of Accounts.

The Bill, intituled, *An Act to enable divers Protestants Aliens to become naturalized; and to remedy the Inconveniences which had arisen, or may arise, by Purchase of Lands within this Province, made by such Aliens before their being naturalized;* was read a second Time, and ordered to be ingrossed for a third Reading; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House taking into Consideration the Affair of *Fisher's* Island, do

Resolved, That the Purchase Money due for the said Island, and the *Negroes;* belonging thereto, *viz. One Thousand Seven Hundred Pounds*, be paid by the Trustees of the General Loan-Office; and that at the Time of such Payment a Conveyance be taken of the same to *Oswald Peele, James Morris, Joseph Trotter, Joseph Harvey, Thomas Tatnal*, and the Survivors of them, and to their Heirs for ever; in Trust nevertheless, and subject to such Uses as the Representatives of the Freemen of this Province, in Assembly, shall from time to time appoint; and Covenants therein to be contained, that the said Trustees, and the Survivor of them, and the Heirs and Assigns of such Survivor, will accordingly convey the same to the Uses aforesaid.

Resolved, That the said Trustees do forthwith take the Care and Oversight of the said Island, *Negroes*, and Appurtenances, and provide a good Tenant, to whom they may lease the same for a Term not exceeding seven Years, such Tenant being obliged to put and keep the same in good Repair, and so to deliver it at the End of his Term; and reserving always full Liberty during the said Term to place and continue thereon any such sickly Persons imported into this Province, as Occasion may require, and also to except six Acres of Land on the River *Delaware.*

Resolved, That the said Trustees do account to the Provincial Treasurer for the Time being for any Profits they

shall receive from the said Island; and that the Money to be paid be disposed of to such Uses as the Assembly shall think fit.

Resolved, That *Isaac Norris*, *Thomas Leech*, *Israel Pemberton*, and *Edward Warner*, be a Committee to prepare and bring in a Bill against next Sitting of Assembly, for erecting a Corporation to have the Care and Management of the said Island, *Negroes*, and Appurtenances, and such sick and impotent Persons as shall be placed there at any Time hereafter, subject nevertheless to such Rules and Orders as the Assembly of this Province shall from time to time direct.

Ordered, That the Executors of *Andrew Hamilton*, Esq; deceased, be desired to deliver the Deeds relating to the Ground whereon the State-house, *&c.* is erected, to *John Kinsey*, Esq; that Conveyances may be prepared for securing the same in the Hands of Trustees for the Use of the Province.

The Governor's Message was again read, and the further Consideration thereof adjourned to To-morrow Morning; and then the House adjourned to Nine a Clock To-morrow Morning.

The House met, *&c.*

The Governor's Message was again read, and considered; and the following Message, in Answer to the same, was agreed to by the House, *viz.*

May it please the GOVERNOR,

TO *defend the Rights, and to remonstrate the Grievances of the Freemen of this Province, as Occasion requires, is the indispensible Duty of their Representatives; and if in the Discharge of this Part of our Duty, we are said 'to misrepresent the Governor to the World,—and to pursue him with Accusations injurious to his Honour,' as we have Truth and Justice on our Side, we are the better able to bear it.*

The Bills we have presented to the Governor, are really such as we 'judge necessary,— to 'promote the Ease and Happiness' of our Constituents; and yet, it must be owned, it is in his Power to prefer' his own Vindication—to any Business we have laid before him.' If such be the Governor's Pleasure, we must acquiesce with his taking any Time he shall think reasonable to this End.

It would be very agreeable to us, if, without Violence to our Judgments, we could entertain like Sentiments of the 'Impartiality' and 'ample Justice' of the Proprietaries, which the Governor is pleased to express. Men of the greatest

Abilities and Integrity, must be allowed not the most competent Judges in their own Case; and it affords no great Matter of Wonder, to find the Proprietaries bestow their Approbation on those Actions (it seems) their own Instructions first gave Rise to.

If the Governor really thinks, no Treatment he has met with 'can in any Degree Discharge him from the Obligations he is under, to promote the Ease and Happiness of his Majesty's Subjects here; and the Bills we have presented, be admitted 'necessary for these Ends'; Why then should their Success depend on any 'Resolution we shall come to?'

We have Reason to know there are at this Time very pernicious Attempts on Foot, to deprive the Freemen of this Province of some of the most valuable Privileges they now enjoy. These Attempts we are firmly resolved vigorously to oppose, to the utmost of our Power; and if the Governor shall think fit to join his Assistance, against these mischievous Enterprizes, no Method, in our Opinion, can possibly be taken, which will more contribute to restore 'the publick Peace, Honour and Justice.'

The Prospect of an honourable End to our unhappy Disputes, would afford us great Pleasure; the Expedient we have mentioned, we judge best adapted to answer this End, and to engage us to continue, with the greatest Chearfulness, 'fully to do our Duty.'

An ingrossed Bill for enabling divers Protestant Aliens to become naturalized, *&c.* was read the third Time; and

Resolved, N. C. D. That the Bill do pass.

And the Message to the Governor being signed by the Speaker, by Order of the House,

Ordered, That *Jeremiah Starr*, and *Joseph Shaw*, carry up the same to the Governor; and that they also carry up the Bill forenabling divers Protestand Aliens to become naturalized, *&c.* for his Assent: And that they acquaint the Governor, that they House inclines to adjourn to the Sixteenth of the *Sixth Month*, if the Governor hath no Objection to that Time.

The Committee to whom the Accounts of the late Superintendant of the State-house were referred, made a Report in Writing, which was read, and follows in these Words, *viz.*

IN Pursuance of an Order of this House, we have examined the Accounts of the Overpayments returned by *Andrew Hamil-*

ton, to the Committee of Assembly, *October* 19, 1738, and sundry other Charges for Work and Materials at the State-house, during the Life-time of the said *Andrew Hamilton*, due upon unsettled Accounts; and to find, that there are several Sums of Money due to the Province, *viz.*

From *Daniel Pegg*,	£ 105	17	10
From *Daniel Palmer*,	19	19	2
	£ 125	17	0

And we do find, that the Estate of *Andrew Hamilton* must be debted with the Sum of *Ten Pounds, Sixteen Shillings*, and *Ten-pence Halfpenny*, for Interest charged the Province on *Benjamin Fairman's* Bonds, which is agreed to by *James Hamilton*. Which said Sum of *Ten Pounds, Sixteen Shillings*, and *Ten-pence Half-penny*, being deducted from the Sum of *Twenty-eight Pounds, Six Shillings*, and *Eleven-pence Half-penny*, returned an Overpayment to *Benjamin Fairman*, by the Committee, *October* 19, 1738, leaves the Sum of *Seventeen Pounds, Ten Shillings*, and *a Penny*, due by that Settlement; but upon Re-examination of the said *Benjamin Fairman's* Accounts, we are of Opinion, that the said Sum is fully discharged.

And we do also find several Sums of Money due from the Province for Materials and Work done at the State-house, upon Accounts not settled during the Life of the said *Andrew Hamilton*, viz.

To *James Child*,	£ 8	7	9
To Humphrey Jones,	3	11	6
	£ 11	19	3

And the said *James Hamilton* exhibits an Account of *Edward Farmer*, for Lime delivered the said *Andrew Hamilton* for the Use of the State-house, amounting to *Ninety-eight Pounds, Five Shillings*, not yet brought into the General Account, upon which we can get no further Information than what arises from the Account itself, which we therefore lay before the House for their Correction or Allowance.

There is also an Account of *Gustavus Hesselius*, exhibited by the said *James Hamilton*, for painting the State-house, amounting to a considerable Sum, which by Reason of the Absence of the said *Gustavus Hesselius*, cannot be now settled.

By the Accounts and Papers relating to *Isaac Tonnecliff*, it appears to us, that there is nothing due to the Province

from him, but that the said Debt of *Thirteen Pounds* and *Tenpence* must be charged to the Estate of *Andrew Hamilton.*

The outstanding Debt returned as due from *Thomas Shoemaker, Robert Hind,* and *Thomas Peglar,* jointly, we are of Opinion should be discharged by the Estate of *Thomas Shoemaker;* and that *Robert Hind* and *Thomas Peglar* be paid their last Account.

And the House agreeing to the said Report, Orders were accordingly drawn on the Provincial Treasurer, and signed by the Speaker, by Order of the House, for the following Payments, *viz.*

To *Robert Hind,* and *Thomas Peglar,* — £	24	9	3
To *Thomas Child,* ————————	8	17	9
To *Humphrey Jones,* ————————	3	11	6
£	36	18	6

And the Account of *Edward Farmer* is referred to further Consideration.

Applications were made to the House in Favour of *Abraham Emmett,* and *Wight Massey,* for Payment for their Servants said to be carried away on the late Expedition; and the same were referred to the Committee of Grievances.

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same (together with the Bill) according to Order; and that the Governor was pleased to say, if the House did now adjourn, without giving him Time to answer their former Message, it was contrary to his Mind.

Resolved, That as the Governor's Dislike of the proposed Adjournment arises only from his not having yet prepared an Answer to the former Message of the House, which the House is of Opinion might, if the Governor had thought fit, have been done by this Time; and as the Governor will, by this Adjournment, have Leisure to consider maturely the Bills he has now under Advisement; and the farther Continuance of the present Sitting will only create a Charge, and be of no Service to the Province; therefore the House adhere to the Time proposed; and accordingly adjourned to the Sixteenth of the next *Sixth Month.*

THE House met pursuant to their Adjournment.

Ordered, That *Edward Warner,* and *Joseph Trotter,* wait upon the Governor, and acquaint him, that the House is met

according to their Adjournment, and that if the Governor hath any Thing to lay before them, they are ready to receive it.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, he would, by a Message, communicate what he had to lay before the House; then the House adjourned to Ten a Clock Tomorrow Morning.

The House met, *&c.*

The Governor, by his Secretary, send down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'IT is not from an Expectation of convincing your Understandings, or of reforming your Conduct, that I take the Trouble of answering your Message. The Interest of your Leaders, I know, depend upon keeping alive a Spirit of Faction; for a Return of that Harmony which subsisted before they embroiled the Publick Affairs, would render them as inconsiderable as they formerly were, and as all true Lovers of the Peace and Prosperity of the Province wish to see them again. I know too, that I am to expect nothing from these Men, but Misrepresentations and Revilings: But it is not for them that I write; it is to prevent the Honest and Well-meaning from being deceived and misled. As to myself, I cannot have the least Reason to be concerned about your Sentiments of me; since his Majesty has been graciously pleased, after a Transcript of your Proceedings had been laid before him, to signify his Approbation of my Conduct; since the Honourable Proprietaries, to whom you appealed, have likewise done me that Justice which I had Reason to expect from their Candour and good Sense; and since, if they are to be credited, *My Conduct has appeared in a very agreeable Light to Persons less concerned in the Province than either they or you, and therefore more indifferent Judges.* These Things considered, I have nothing to wish for, respecting my Administration, but that the Eyes of such as have been infected with your Passions and Prejudices, may be opened, that they may lay the true Interests of their Country to Heart, and that they may do their Parts towards preparing and applying proper Relief, as well to the impending, as to the present, Necessities of the Publick.

It will ill become me to descend so low, as to take Notice of every Part of your last Messages; wherefore, I shall principally confine myself to such of them as seem particularly calculated to insure me, and to preserve yourselves in Power.

In Answer to all that relates to the Inlisting Servants for the late Expedition, I might refer you to my former Messages on that Subject; but since you think you gain great Advantages in keeping up a Discontent in the Minds of the People by a Repetition of your Charge against me, and an obstinate Avowal of your own unaccountable Conduct upon that Occasion; I shall not decline the Controversy, but briefly as I can, state some few of the material Facts, and make a few Observations upon them.

A Proclamation was made by me, inviting all such as were willing to inlist in the King's Service, to enter their Names with Persons appointed to receive them, that I might be enabled to make a Judgment of the Number of Men likely to be raised here, and to give Colonel *Spotswood* an Account of it. Numbers enter'd their Names accordingly; Freemen and Servants. from hence you insist that Servants were inlisted before a Bounty was proposed by me to the Assembly; for *what is an Inlistment*, said the Assembly, *but entering a Name on a List?*

This is, I confess, a very ingenious Definition of Inlisting; and as it is to be found in every Dictionary, the Assembly laid their chief Stress upon it: But, with your Leave, an Inlistment must be attended with other Circumstances besides that of entering a Name on a List. To make a legal Inlistment, the Person must have received inlisting Money; must be carried before a Magistrate; the Seventh and Tenth Articles of War read to him; and the Oath mentioned in those Articles taken by him; however, he may refuse to take, if he makes the Satisfaction required by Act of Parliament in four Days after receiving the Inlisting Money. As these Essentials to an Inlistment were wanting, and there was in Truth no Person authorized to make a legal Inlistment before the Arrival of Colonel *Blakeney*, no one was so weak as to think of holding any by their having barely enter'd their Names on a List; and therefore, their Appearance was so far from being insisted upon, that not one of them was ever called for. As this is truly the Case, there is not the least Ground for your Assertion, that Servants were inlisted before a Bounty was mentioned; nor was one Man inlisted, either Freemen or Servant, until several Days after my Speech to the Assembly recommending a Bounty.

You are pleased to say, now, That *the Assembly did declare, they could not appropriate any Money to the Uses required, yet they had determined to give* Four Thousand Pounds *to the King's Use, and prepared a Bill for that Purpose, which might have passed, had not the Inlisting so many Servants prevented it.* This may pass well enough with such as are disposed to swallow any Thing; but to me it discovers such a double Dealing as is not much for the Assembly's Credit. To declare that their Consciences could not allow them to raise or apply Money for victualling and transporting Soldiers, and yet to determine to give *Four Thousand Pounds* to the King's Use; that is, for victualling and transporting Soldiers, can, in my Opinion, no otherwise be accounted for, consistent with *a good Conscience*, than upon a Supposition of a new Revelation intervening between the positive Refusal and the Determination to give.

But suppose, for Argument Sake, I should allow, that the Assembly were really determined to give *Four Thousand Pounds* for the King's Use; as *Two Thousand Pounds*, was to pay the Masters of such Servants as should inlist, and the other *Two Thousand Pounds* was for victualling and transporting both Freemen and Servants; I am at a Loss to account how the Inlisting Servants should be a Reason for laying aside the Bill. On the contrary, as the Voting *Two Thousand Pounds* to pay the Masters, was an Encouragement given by the Assembly to the Inlisting of Servants, it ought to have been a Reason for passing the Bill. But the Truth of the Matter is, after the Assembly saw that the Servants were Inlisted, tho' contrary to my express Direction when I went down to *New-Castle*, they thought they had a good Handle for a Complaint against me, and a good Pretence at the same time for saving their Money; and so adjourned without expressing the least Dislike to the Inlistment of Servants at that Time, and left the King's Business, and me to struggle thro' the Difficulties they had thrown in my Way, as well as I could. The Voting *Three Thousand Pounds* afterwards, upon such Conditions as were an Affront to his Majesty, and altogether impracticable, without breaking all the Companies, was of a Piece with all the rest of their Proceedings.

Upon the same Supposition, that you were in Earnest in the Bill for giving *Four Thousand Pounds*, I have been so far from adding to the Publick Expence, as you charge me, by encouraging the Inlistment of Servants (had I really done

so) that the Publick has been a Saver by it: For as *Four Thousand Pounds* was intended to be granted, and but *Two Thousand Six Hundred Pounds* has been paid for Servants, there is evidently a Saving of *Fourteen Hundred Pounds* to the Publick. The *Three Thousand Pounds* lately given has no Relation to that Matter: For that was given unasked, and under the Pretence of commiserating the *Burden and heavy Taxes* your Fellow Subjects labour under in *England:* And as it is said to be illegal, and the true Reasons for giving it are as well understood in *England* as here; it is probable, that will remain in your Agent's Hands as a Fund for solliciting future Petitions and Representations; and for his own and the Agent-Assistant's unknown Services to the Province. I cannot suppose that your Agent is quite so ignorant or remiss as not to have known and informed you, that the Legality of the Grant of *Three Thousand Pounds* has been *made a Question of* by much greater Men than any of us; nor is it difficult to conceive, that the Refusing to give at one Time, and the Giving at another, may be equally Blameworthy. A Grant may be legal, and may be an Instance of Loyalty to the King, and of Regard to our Mother Country, when it is ask'd; when the Exigency of the Publick Affairs requires it; and it is made in a proper Manner; and at another Time may be illegal, and a wanton, or ill-judged Dissipation of the Publick Treasure.

When a Controversy is not like to be ended by the Parties themselves, it has been usual to appeal to the Judgment of others. You have made your Appeal to the Honourable the Proprietaries; which I conclude you would not have done, had you not at that Time entertained a just Opinion of their Impartiality. Altho' their Answer is publick, I shall here insert what relates to this Point of the Dispute between us, as the best Way of putting an End to it, or at least of satisfying such as may not have seen that Answer. It is in the following Words: 'By the Minutes of that Year, we find the Governor was so far from desiring the Inlistment of Servants, that he very early took Measures to prevent it; and in his Speech to the Assembly, wherein he communicates to the House his Majesty's Instructions for the Raising and Transporting Men to the *West-Indies*, proposed a Bounty for the Encouragement of Freemen to inlist, in order to prevent the Accepting of Servants; which we are very sensible must have been a great Hardship on particular Persons, and heartily wish had been prevented; but the House, instead of entering into the Consideration of a Matter, which you

now conceive of so great Importance, preferr'd then, the Care of their private Concerns; and by that Means became the Occasion of this Grievance, though the Governor has been charged with all the Inconveniences that have attended it.'

I proceed now to your Charge of attempting to deprive you of your Privileges, by my Letter to the Lords Commissioners for Trade and Plantations, contrary to the solemn Engagements you say I am under to support you in them: And in this Charge you particularize the Assembly's Rights, to sit on their own Adjournments, and to dispose of the Publick Money; and the Right of the People called *Quakers*, when duly elected, to sit in the Assembly.

That this Matter may be well understood, I must first premise, that my Duty to the King is prior and paramount to any Obligations I am, or can be laid, under to any Persons whatsoever; and where an inferior Duty interferes with a Superior, the Superior is to be prefer'd. This being granted (for it cannot be denied) where is the Breach of my Engagement in representing to his Majesty or his Ministers, that the Assembly have a Right to sit on their own Adjournments, but that they made a very ill Use of that Privilege, when a Matter immediately recommended by his Majesty was laid before them? And that they might bring great Prejudice to his Majesty's Service by such a Practice, without a positive Refusal to comply with his just Expectations. As it is a Fact, that the Assembly did so adjourn, and that Adjournments in the like Cases may prove hurtful to the King's Service, and to the Interest of our Mother Country, it was my Duty to represent it; and further, as I was under his Majesty's express Commands to lay his Instructions before the Assembly, it was my Duty to give a particular Account of their whole Proceedings upon those Instructions. But has his Majesty's Commands been out of the Question, could it be expected, that I should be so regardless of my own Safety, as not to make use of all the Advantages the Assembly's rash Conduct had given me, to defend myself against a Petition they had threatened me with? The Contents of that Petition being kept secret (for it was never printed in the Assembly's Votes, nor a Copy of it delivered to me) made it still the more necessary for me to arm myself at all Points against the dark Malice of my Adversaries. If you would preserve this Privilege, use it with Discretion, especially in Instances where the King's immediate Service is concerned. It has been strained in that and other Instances of late, contrary to the Intention of the first Granter; which is plain from com-

paring your Practice with the Paragraph of his Letter lately sent to you by the present honourable Proprietaries, his Sons, in the following Words; 'I designed the People should be secured of an annual fixed Election and Assembly, and that they should have the same Privileges in it that any other Assembly has in the Queen's Dominions; among all which this is one constant Rule, as in the Parliament here, that they should sit on their own Adjournments; but to strain this Expression, to meet at all Times during the Year, without the Governor's Concurrence, would be to distort Government; to break the due Proportion of the Parts of it; to establish Confusion in the Place of necessary Order; and to make the Legislative the executive Part of the Government.

As to the Disposition of the Publick Money: I deny that it is a Privilege of the Assembly. It is true you have a temporary Right to dispose of it, by Virtue of two Act of Assembly, one of which will expire the next Year; but from the Observations I have made, this is so far from having been of late an Advantage to the Province, that I am convinced some Thousands of Pounds would have been saved in the two last Years, had the Money been appropriated by those Acts, or the People Representatives been under some Check. That the Proprietaries entertain the same Opinion of this Power, appears from what follows out of their Answer to your late Address. 'The Money belongs to the People, and the more difficult it is to appropriate any of it, the less Probability there is of having it unnecessary expended."

After the Account given by me to the Lords of Trade of the defenceless Condition of the Province, it was added, that so long as the House of Assembly shall be composed of "a Sett of People who oppose all Preparations for Defence, the Province will remain exposed to any Enemy that shall think fit to invade it.' This you call likewise a Breach of my solemn Engagements. How comes it to be more so now than it was two Years ago? For I said this in Substance to you then in several of my Messages; and you, in Effect, acknowledged it, by insisting, that it was against your Consciences to make any Provision for the Defence of the Province. I am answerable for the Safety of the People committed to my Care; and if no Provision has been, or is like to be made, for their Defence, is it my Duty to inform his Majesty of it, or to conceal it from him? The latter, I know, would have been more agreeable to you; but, in that Case, I should have deserved something worse than the Effects of your Resentment can ever prove to me.

In the next Paragraph you ask me, whether his Majesty's Commands required, that the People of this Province should be charged with carrying on Manufactures at very cheap Rates, directly interfering with the Trade of their Mother Country? I answer, yes; for as his Majesty commanded that I should give his Ministers a particular Account of my Transactions relating to the Expedition; and the Assembly insisted, as an Argument against the Legality of inlisting Servants, that the Trade of Servants was advantageous to *Britain*, they made it a Part of those Transactions, and put me under a Necessity of proving it was not so; as it enabled the Inhabitants here to carry on Manufactures directly interfering with those of *Britain*. The Assembly's Threats upon the Point of inlisting Servants, likewise rendered this Proof necessary for my own Safety; for as this Argument was calculated to engage the Trading Part of the Nation against me; it behoved me to shew how the Trade of Servants was injurious to our Mother Country. But whether it was or was not my Duty, it will not be thought an Instance of Prudence in you, by those that have any Share of it themselves, to bring this Matter again under the Publick Notice. Your View, it is Plain, is to prejudice the People against me, in order to preserve yourselves in Power: But will any prudent or honest Man put such Advantages to a Risque (if any Thing can be advantageous to this Province that is prejudicial to its Mother Country) to serve such Ends?

Besides what I have already said, the standing Orders from the Lords of Trade, in Obedience to his Majesty's Commands, are a full Justification of my Letter: For it is their Lordships express Direction, 'That I send particular Accounts of Laws made, Manufactures set up, or Trade carried on in the Province of *Pennsylvania*, which may in any way affect the Trade, Navigation and Manufactures, of this Kingdom, and to take it for a constant Rule to send to them annual Returns to the inclosed Queries.' A Copy of these Queries, I have ordered my Secretary to deliver to you; and you will oblige me, if you will speak out, and tell me plainly, whether I am to obey his Majesty, or am to obey you; that I may signify to his Majesty what *your Pleasure is;* or if you do not care to do this, favour me with such an Answer to these Queries, as *it is your Will* I should give, that I may make such an annual Return, as may not incur *your Displeasure.*

What next occurs to me, that has a Relation to the Expedition, is the Advance of Money made for carrying on our

Part, of it, after the Assembly had adjourned *upon the Rumour of a Probability of a Peace.* To this you say, 'if the Merit consisted in purchasing the King's Bills at an easy Exchange, once publishing it to the World might have been sufficient.' I do not wonder at your being displeased at the Publication of it, since the Gentlemens Zeal who advanced Money was so much commended in *England*, and was so opposite to the Scheme the Assembly had formed to prevent my sending any Assistance at all: And as what relates to the King's Bills, is as well levelled at my Integrity, as to detract from these Gentlemens Merit; you must excuse me, if I tell you plainly, that it is an Insinuation of the worst Sort, tho' no other than is very common with you. The King's Bills for subsisting the Troops here, and for victualling the Transports, were sold and paid away, at the highest Exchange that was given to Merchants of the best Credit in the Town for Bills of their own Draught; and I put you to a publick Defiance to prove in any one Instance where the King's Bills were not sold at the full Exchange, and the Money was not as frugally managed. as if it had been my own Property, or the Property of any Merchant in the Town. If you yourselves had set any Value upon a Character, you would have scorned such Insinuations to the Prejudice of other People's.

You have been pleased to call upon me to shew one Instance of the Assembly's laying aside Truth, and publickly defaming me.

Numerous Instances of this Sort are to be found in the Message of that Time, as well as since; but as they would not have the Force of Conviction with you, if I were to cite them; I rather chuse to refer you to some Part of the Proprietaries Answer, before quoted.

'We find the Governor was so far from desiring the Inlistment of Servants, that he very early took Measures to prevent it.' And a little further, 'The Assembly became the Occasion of this Grievance, *tho' the Governor has been charged* with all the Inconveniences that have attended it.'

The Men without Shame or common Honesty, are known to every fair Trader in Town that has read the List of those that were employed to collect and prepare Evidence to support the Charge against me; wherefore it is quite unnecessary to distinguish them by their Names, or to spend Time upon the Difference between *Depositions* and Examinations transmitted against me.

Much is said in Support of your Right of Petitioning; which as no one has denied, is like buffeting the Wind. But when a Petition contains Matter of Complaint against any particular Person, that Person has a Right to a Copy of it; and the Transmitting it without doing him that Piece of common Justice, may be justly compared to an Intention *to stab in the Dark;* For it does not appear probable to me that the Assembly would have favoured me with a Copy of it, *if I had desired it.* That they promised themselves (however mistakenly) some Advantages from secreting the Particulars of it, is plain from their not publishing it in their Votes; which used to be the Practice in regard to all publick Transactions (and which the Publick, as well as myself, have a Right to see) before they thought the Secrecy of a *Romish* Conclave more worthy of their Imitation, than the Practice of a *British* House of Commons, and of former Assemblies here. It is near two Years since the Petition was transmitted to *London,* and was not presented when the last Ships came from thence, tho' my Friends had very much desired it, and had often sollicited your *worthy Agent* to present it; yet I am now told, *it is too early to judge whether it has failed or not.* I can scarce perswade myself that you are serious in what you say, except it be with a Design to amuse such as you had taught to expect mightly Matters from it: However, for Curiosity Sake, I shall, even now, be glad to see a Copy of that Petition, and of the Examinations or Depositions, which soever you please to call them, that were taken and sent to support it; and if you will oblige me so far, I promise you, that I will make no Advantages of them by a further Preparation for my Defence, until I receive his Majesty's Commands so to do. Perhaps you will wittily ask me again, how could the Petition amuse those that never saw it? But however impenetrable you affect to be with regard to me, your Emissaries are well instructed by you; for tho' your Address to the Proprietaries was called, in your Votes, under the disguised Title of *A Representation of the State of the Province,* and the Matter of it was secreted from me; the People of the Country were made to believe, that you had done my Business by it, and that a new Governor was most certainly to come over soon.

As your Starts from one Point to another are very sudden, and you leave or return to them as you please. I may reasonable expect to be indulged in being a little immethodical too in my Reply; therefore I shall now go back to what

relates to the Council's Observations on the Report of a Committee of your House; the Substance of which is, that you are under no Obligations to pay any Regard to them, since the Council is no Part of the Legislature. This might have been proper enough had the Council thereby assumed any Part of the Legislative Power; but in the Case before us, it is. in my Opinion, no more to the Purpose, than if you had told them they were no Part of the College of Physicians; for as they are by Law intrusted with the Care of sickly Vessels coming to this Port, they certainly have a Right, though no Part of the Legislative Body, to justify their Conduct against the Aspersions thrown on it by a Committee of Assembly, or by any other Persons whatsoever. To your own Resolves you are at the same Time pleased to pay greater Honour than will be paid to them by any other Part of Mankind; for they are so far from carrying any Authority out of your own House, that your Fellow Subjects are not so much as obliged to know them; nor would a Judge, who knows any thing of his Duty, even suffer them to be mentioned in a Court of Judicature. The Law is the Rule of every Man's Actions; and as the Resolves of Assembly can by no Means come properly before a Court; for this, and many other Reasons, they can neither *aggravate an Offence* against a Law, nor have any Thing to do in *proportioning the Punishment.* Any Doctrine contrary to this is the highest Invasion of the Liberties of a *British* Subject.

Enough has been said of your Apprehensions from the great and frequent Importation of Foreigners; and when you produce an Interlineation under the late Speaker's Hand, and the Circumstance of another Gentlemen's being one of those that carried up the Address (who as Members are obliged to obey the Orders of the House) as Proofs of their concurring in your Apprehensions, it is a Sign that you are either hard to put to it, or have a very mean Opinion of the Understandings of the People.

The Sense which the Assembly of the Lower Counties have entertained of my Administration (tho' much Pains has been taken to carry the War down into that Government against me) is too publickly known, to stand in Need of your Testimony concerning it: Nor will it be easy for you to persuade the World, that the same Man acts upon good and bad Principles at the same time. You endeavour to account for the Difference, by saying, that Servants were ordered to be discharged by me there, when it was denied that I had a Power

to do it here. This is so far true, that as the Officer there had fifteen or sixteen Supernumeraries, I prevailed upon him to return the Servants to their Masters, and to retain all the Freemen. But had this Circumstance not been in the Case, it would have shewn that the complying or not complying with his Majesty's just Expectations was the Rule of my Conduct, and not any Interest or Passions of my own. To make an End of the Subject of Inlisting, I am so well satisfied with the Approbation his Majesty has been pleased to give of my Conduct on that Occasion, and with the Opinions I have had from *England* of the Legality of the Officers Proceedings (tho' I took the most timely Measures to prevent what I thought would be a very great Hardship on the People) that I cannot entertain the least Opinion of the *Credit* of that Person, who, you say, has given you a contrary Information. But let me detain you one Moment longer, to receive my Thanks for the single Acknowledgment you have of a long Time been pleased to make in my Favour, that *there is no Reason to question but that some Part of my Conduct may have received his Approbation:* I would by no Means be thought ungrateful, nor would I willingly be behind-hand with you in Acts of Civility; wherefore, I heartily wish I could with equal Truth, say, that any Part of the Assembly's Conduct had deserved the like: I will hope however, that in some future Time it may.

If any Fines, Part of the *Ten Pounds a Year*, have been received by me, which ought, as you say, to have been paid to the Provincial Treasurer, descend to Particulars, name the Sums, and by whom paid; and if it appears to me, or to any impartial Person, that I had not a Right to receive them, I will repay them into his Hands; for I am under no Temptation, either from Want of Oeconomy or otherwise, to despoil the Publick or any private Persons of their Property. But, by Way, it is not every Man that is qualified to judge what is or is not *Oeconomy* in the Expences of a Governor; and the Man should be a Gentlemen who takes upon him to judge of the *Ocenomy* of a Gentleman. I make no Doubt but some wonder how a Governor can spend even *One Hundred Pounds* a Year, and both think themselves qualified, and would be willing to undertake the Charge for that, or a less, Sum. But whilst you are attacking my Rights, your Rights to the Manner of paying yourselves your Wages, is not very clear: For if you may pay yourselves out of the Interest Money, because *you may apply it to what Uses you shall think fit*, you

have a Right, *if you think fit*, to divide the whole Sum amongst yourselves.

If you had read much of Parliamentary Proceedings, you could not but have known, that it is far from being Unparliamentary, to mention what are the Sentiments of the People upon an Assembly's past Transactions: And as I agree with them, that there is good Reason to believe there has been a partial Distribution of the Publick Money in Paying for Servants, I take you at your Word, as to the Publication of a List, specifying the Servants Names; in what Company they were inlisted; the Names of their Masters; their Trades; the Dates of their Indentures; the Time of each Man had to serve; and the particular Sums paid to each Master for them.

By the fine Things said in your Message, of the Persons removed by me from Offices, which no one ever heard of before, one would be tempted to suspect, as some of them are Members of your House, that they were the Pen-men of their own Praises. I profess myself an utter Stranger to any Attempts made to influence them; tho', could I have descended to the mean Arts of Flattery and Dissimulation; and had I wanted a Tool to get money for me out of the People, I might perhaps have succeeded as well as *a more worthy Governor* of another Province did a few years ago. But, despising such Arts, I left them to themselves; and as their Behaviour rendered them unworthy of the Trust committed to them, I removed them from their Places; which as they held during Pleasure, I had a Right to do, without being accountable to them or to you; or without incurring from our Superiors your mild Censure of having *acted more arbitrarily than the most arbitrary Princes.*

I am perswaded you do not expect a serious Answer to your Charge of *a manifest Design against the Liberties of the People.* This, however, is the Engine you have work'd with to deceive the People; and you know the Advantages of it too well to part with it now. If there were such a Design, it is strange it should be manifest to none but you and your Partizans; neither the Proprietaries nor any others have been so lucky as to find it out. I confess my Design to promote the King's Service, and your own Safety has been manifest enough: And if any Attempts have been made, or shall be made, against these, I will most readily *join with you to defeat them:* Tho' I think it is an unbecoming Distrust of his Majesty's royal Virtues, to suppose it possible for him to give the least Countenance to Enterprizes destructive of your Liberties, whether you or I exert our Power in the Case or not.

To conclude: I have had the Bills you laid before me at your last Meeting under Consideration; but the Stopping my Support, *for endeavouring to enforce the King's and the Proprietaries Instructions*, is so flagrant an Instance of your Contempt of them, and so *manifest* an Invasion of my Right of exercising my Judgment in conducting the Publick Affairs, that it will not be to any Purpose for me to give my Sentiments on those Bills, until you have restored me to that Liberty, which, as one Part of the Legislative Body, I am intitled to; by making me the usual Allowance for my Trouble and Expence in the Administration of the Government for more than two Years past. When this is done, I shall be free, as well to offer my Opinion, in general of them, as to propose such particular Amendments as seem to me necessary for *promoting the Ease and Happiness of his Majesty's Subjects in this Province;* which no Man more sincerely wishes than I do, or would take more Pains to accomplish, tho' I shall be always careful to support the Honour of the Station it has fallen to my Lot to is to be valued.'

August 17, 1742. GEORGE THOMAS.

Ordered, That the Governor's Message be again read in the Afternoon; and then the House adjourned to Three a Clock in the Afternoon.

The House met, &c.

The Governor's Message was again read, and considered;

Ordered, That *Robert Jones*, *Israel Pemberton*, *John Watson*, *Thomas Chandler*, *Samuel Blunston*, and *John Wright*, be a Committee to prepare a Draught of an Answer to the same, and that they report it to the House; then the House adjourned to Three a Clock To-morrow Afternoon.

The House met, &c.

Ordered, That *Edward Warner*, *John Hall*, *James Gibbons*, and *Anthony Shaw*, be a Committee to settle the Accounts of the incidental Changes for the current Year; and then the House adjourned to Ten a Clock To-morrow Morning.

The House met, &c.

The Petition of *Thomas Croasdale*, Deputy Sheriff, and Keeper of the Goal of *Philadelphia* County, praying payment of an Account annexed, for supporting of *Jacob Seabring* (an insolvent Prisoner, charged with fomenting Differences between the *Indians* and this Government, &c.) with Necessaries during his Imprisonment, was read, and referred to the Committee for incidental Charges.

The Committee appointed to prepare an Answer to the Governor's Message, proposed and laid before the House a previous Message to the Governor, which being read and considered, was agreed to by the House, and ordered to be transcribed, in order to be sent up to the Governor; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, &c.

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

ANY *Expedient for restoring that Harmony which formerly subsisted between the several Parts of the Legislature within this Province, would be truly agreeable to us: And we wish the Temper and Disposition the Governor was in, at the Time of his last Message, gave us greater Encouragement to believe any Overtures becoming us to make might contribute to so good a Purpose: But the Warmth and Resentment with which he is pleased to treat us, the Disguise in which our Actions are Placed; and, above all, his avowed Attempt to deprive us of some of the greatest Privileges we enjoy; and at the same time to doubt whether we expected 'a serious Answer to our Charge,' afford us little Reason to hope such Overtures may be attended with Success. Nevertheless, as we have the Interest of our Country much at Heart, and as the Bills we lately presented to the Gavernor are necessary for its Welfare, if he shall yet be pleased to discharge the Trust reposed in him, by giving his Assent to those and such other Bills as may contribute to the like good Purposes, we shall so far overlook the Asperity of his last Message, and the repeated Indignities thrown upon us, as to make further Provision for his Support. This, in our Opinion, is the most the Governor has Reason to expect from us; for, we persume, he will not think it just, at a Time when he is contending for his own Liberty, 'as one Part of the Legislative Body,' to deprive us of ours; which must be the Consequence of his Refusal to take into Consideration the Bills before him, until Provision shall first be made for his Support. Other Parts of the Governor's last Message require our Answer; but the Dispatch necessary to be given to the Publick Affairs at this Season of the Year, renders it necessary first to offer this to his Consideration.*

Sixth Month 20, 1742.

And the Message being signed by the Speaker by Order of the House.

Ordered, That *Joseph Trotter* and *John Owen* wait upon the Governor with the same.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order.

The House resuming the Consideration of *Edward Farmer's* Account, allowed the same; and inasmuch as the said *Edward Farmer* is indebted to the Trustees of the Loan-Office,

Ordered, That the Trustees do credit the said *Edward Farmer* on the Back of his Mortgages for the Ballance of his said Account, as at the Time it was due; for which they are to charge the Province as so much paid the said *Edward Farmer*.

The Committee appointed to audit and settle the Accounts of the General Loan-Office, and other Publick Accounts, made their Report to the House in Writing, which was read;

Ordered, That the said Report lie on the Table for the Perusal of the Members; then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met, and adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor, by his Secretary, sent down two written Messages to the House, which were read, and follow in these Words, *viz.*

GENTLEMEN,

'NO Man more sincerely wishes than I do, to see that Harmony restored which subsisted between me and two successive Assemblies after I came to the Government nor can any Man more abhor the Thoughts of depriving the People of their Liberties, or the Assembly of any of its just Privileges; but if, notwithstanding, I have been frequently charg'd (and the Charge is spitefully repeated even now, when Harmony is said to be desired) with Attempts of this Sort, and have had such *Indignities thrown upon me*, as have been unknown to any other Governor or Assembly in the King's Dominions; it will not be thought unbecoming me to have shewn some Degree of Warmth and Resentment against the Authors of them. When you shall think fit to treat me with the Civility due to my publick Character, I shall not do so much Violence to my own Disposition, as not to shew the same Regard to yours.

If you really suppose, that I have *refused to take the Bills you laid before me into Consideration*, you have very much misunderstood my last Message, for I have had them long under Consideration: And when you shall be pleased to remove all undue Influence, and to restore me to that Right of using my own Judgment, which, as one Branch of the Legislative Body, I am intituled to, by paying me the accustomed Support for the Time past, which you stop'd, for my endeavouring to enforce the King's and the Proprietaries Instructions, I shall have it in my Power to shew by Actions, as well as Words, that I have a very real Regard for the Peace and Happiness of the Province.

If you are equally sincere in your Professions for restoring Peace, you will not refuse to do me the Justice for my Trouble and Expences in the Administration of the Government, which you have constantly done yourselves for your own Attendance in the Assembly; nor will it be difficult for you to find out a Way of doing this consistent with the Liberty of both Parts of the Legislature.'

GEORGE THOMAS.

GENTLEMEN,

'THE several Accounts for the Entertainment of the *Indians* lately here, having been committed to the Examination of some of the Members of Council, I have now ordered them to be laid before you.

Some of the Chiefs, and others of the *Six Nations*, not to exceed Fifty in the whole, were invited down by the Proprietary, to receive a considerable Quantity of Goods from him in Payment for Lands purchased of them; but the Wants of these People were so pressing, that they very much exceeded that Number, in hopes of obtaining Relief from us their Friends and Allies: And as they are of great Authority, and are held in great Esteem amongst all our neighbouring *Indians*, they were joined by some of the *Shawnese*, *Delawares*, *Conestogoes*, and *Coways*, to the Number of about Two Hundred and Thirty in all.

Under this unexpected Circumstance, I directed, that as many Members of your House as could be met with, should be consulted, as well concerning their Entertainment, as the making them a Present on Behalf of the Province at their Departure; which, as they readily agreed to, I suppose it will appear to the whole House likewise to have been for the Reputation and Interest of the Publick, and more espe-

cially when it shall be observed, from the Treaty held with them, that the Proprietaries Business was but a very small Part of what was transacted; and that their coming down was not only necessary for the present Peace of the Province, in regard to some *Indians* who had threatened to maintain by Force their Possession of Lands which had been long ago purchased by them, and since conveyed by the Proprietaries to some of our own Inhabitants; but for its future Security likewise, in case of a Rupture with the *French*, who will leave no Methods unessayed to corrupt their Fidelity, and to perswade them to turn their Arms against us.'

GEORGE THOMAS.

Then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Governor's Message, relating to the Bills laid before him, for his Assent, was again read, and the further Consideration thereof referred to To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor's Message was again read, and referred to the Committee that have the Governor's former Message in Charge, to be answer'd together with that.

The Committee to whom the late Agent *Ferdinando John Paris's* Demand of a Ballance due to him was referred, report, that in the Year 1741, the said Agent's Accounts were settled by a Committee of the House, and every Article allowed, except *Fifty Pounds*, being for Half a Year's Salary, which he charges after he had Notice given him by the present Agent of his being superseded; which, as he did no Service for the Province after that Time, was not allowed; that a Ballance was then found due to him of *One Hundred Pounds, Nine Shillings*, and *Seven-pence*, of which *One Hundred Pounds* had since been paid him, and that *Nine Shillings*, and *Seven-pence*, is the Whole now remaining due; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Governor's Message, relating to the *Indian* Treaty, was again read, together with a Copy of that Treaty, send down with the Message; and also the Accounts of the Expence of their Entertainment, and the Present made them, *&c.* and the said Accounts were referred to the Committee

of publick Accounts, who are to inspect the same, and report thereupon to the House; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, and adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read by Order, and ordered to be transcribed to be sent up to the Governor; and then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

'THOSE who make a Right Use of their 'Understandings,' are not to be convinced without Evidence, and must be made sensible of their Mistakes, before they can admit the 'Reforming their Conduct' necessary. If it be desired of us on other Terms, the Governor was much in the Right to have no 'Exception' of Success; and it would not serve his Purpose, 'to make the Trouble of answering our Messages' with this View.

Divide and govern, is no new Maxim; and those who persuade the Governor to believe our Conduct is influenced by Leaders, whose Interests depend 'upon keeping alive a Spirit of Faction,' may, perhaps, promise themselves some Advantages in pursuing this Rule. These may find their Attempts vain. And we desire the Governor to consider our Actions in another Light, such as are the Result of our Judgments, accompanied with as great Unanimity as, perhaps, ever was known, and with a fixed and unalterable View to the Interests of our Country. Yet, we know, it serves some Purposes best to name Things by their Contraries: Thus, an honest Zeal may be called 'Faction,' and, advocating the Cause of Liberty, 'embroiling the Publick Affairs.'

That 'his Majesty' has been graciously pleased, after a Transcript of 'our Proceedings had been laid before him, to signify his Approbation of the Governor's Conduct,' is what in Effect he has often published, and now repeats; but until this Matter be a little better Explained, he must excuse us in suspending our Belief. Has 'his Majesty' been informed

how many hundred Servants were carried away against their Masters Consent, and to their very great Loss, by the Governor's Countenance and Encouragement? Is this a Part of his Conduct which hath met with 'his Majesty's Approbation?' If it be, we desire the Governor will tell us so in express Words, that we may know how to govern ourselves for the future, and no longer blame his Behaviour in that Affair. If it be not, why is 'his Majesty's Approbation' so often repeated, to give Countenance to Actions to which it hath no Relation?

The 'Discontent in the Minds of the People' for carrying away of their Servants, will not, we think, be easily removed; nor was there any Need of 'a Repetition of the Charge to keep it up.' It neither was any Part of our View, nor had we any Desire to revive that Controversy, further, than was necessary to a Justification of the Conduct of a late Assembly against a Charge the Governor was pleased to make. But since the Governor has entered into a Detail of that Affair, he ought to excuse us in putting him in mind of some Parts of his Behaviour, it may not, perhaps, please him to remember.

The Proclamation issued by the Governor, inviting such as were willing to inlist in the King's Service, bore date the Fourteenth of *April*, 1740. The same Day divers Servants applied themselves to the Governor, to be informed whether they might inlist. This the Governor answered in the Affirmative; and told them, if they would go to *Cuba*, they should be released from their Masters; and much more, to the like Effect. Hereupon great Numbers resorted to the Persons the Governor had appointed to have their Names entered; and their Names, when so entered, were, by the Governor's express Orders, concealed. All this was before any Application made by him to the Assembly to give a Bounty: And if this was not an Encouragement to the Inlisting and Carrying away Servants, we know not what is.

The Governor is pleased to object, that 'to make a legal Inlistment, the Person must have received Inlisting-money, must be carried before a Magistrate, the Seventh and Tenth Articles of War read to him, *&c.*' But if the Governor will be pleased to look into the Act of Parliament from whence these 'Essentials to an Enlistment,' as he calls them, are borrowed, it will appear that all these, except the Receipt of Money, are directed to be done after the Inlistment; and consequently the Persons by that Act are allowed to be legally inlisted before, altho' they may not be punishable for Deser-

tion, until the Directions of the Act be complied with. And if all this and more was requisite to make a legal Inlistment, we conceive it is no ways material: The Question between the Governor and Assembly did not turn upon this Point; but whether they were not so inlisted by the Governor's Encouragement, as to occasion a Loss to their Masters. On this Occasion he must give us Leave to remind him of Part of a Message of the late Assembly on the same Subject, in these Words: 'What the Governor understands by the Word (Inlisted) we cannot take upon us to say. The Word imports no more than the Entering Mens Names on a List; and that this was done in the Case of many Servants, is a Truth so well known, we persuade ourselves he will not deny. Then the Persons he appointed to take the Names of such who inclined to inlist, were either duly authorized to this End, or not. If they were duly authorized, many Servants were inlisted by the Governor's Means before any Proposals was made to us for the Giving a Bounty, and Consequently no Fault can be attributed to us. If they were not duly authorized, the Injury is yet the greater, that, by the Governor's Directions, those Persons should take upon them to enter the Names of Servants, without any sufficient Authority to that End; and afterwards to lay Claim to them by Pretext of that illegal Act.'

The Governor is indeed pleased now to tell us, 'That there was no in Truth Person duly authorized to inlist before the Arrival of Colonel *Blakeney:* And that, 'no one was so weak as to think of holding any by their having barely entered their Names on a List.' We answer, If no Person was duly authorized to inlist, the Injury is aggravated, since it was done by his Means, and, as he now owns, without any Authority. But whatever the Governor's present Sentiments may be, we have sufficient Evidence to prove, if Occasion required, that those he employed in the Service had different Sentiments at that Time; and when some of them (being Magistrates) were applied to, to order some of the Servants inlisted Home, they were answered, The Servants were free, and not obliged to return to their Service. This is the true State of the Case, in Relation to the Inlistment and Carrying away of Servants from this Province; and however the Governor may be pleased to gloss over his Management in the Affair, it will not be easily forgot.

The Governor is next pleased to charge us with 'Double dealing,' because in our former Message we let him know,

that altho' the Assembly could not appropriate any Money to the Uses required, yet they had determined to give *Four Thousand Pounds* to the King's Use, and prepared a Bill to that Purpose, which might have passed, had not the Inlisting so may Servants prevented it. Wherein the Double-dealing consists, the Governor has not rendered evident, nor will it be possible for him to do. Unfair Dealing is very apparent in the Construction he makes of this Paragraph: He is pleased to say, 'To declare that their Consciences could not allow them to raise or apply Money for victualling and transporting of Soldiers, and yet to determine to give *Four Thousand Pounds* to the King's Use, that is, for victualling and transporting of Soldiers, can, in my Opinion, no other ways be accounted for, consistent with a good Conscience, than upon the Supposition of a new Revelation intervening between the positive Refusal and the Determination to give.' Waving the Scoff included in this Paragraph at Revelation, the Governor must give us Leave to observe, the Absurdity he seems desirous of fixing upon us, arises from his own mistaken Deductions, and not from our Words; and is but reviving a former Attempt, in which he as unsuccessful. Because the Assembly did intend to have given Money to the King, does it follow it could not be done without appropriating it to any particular Uses? And will it not behove the Governor to shew how he is warranted to say, the Assembly intended to give it 'for victualling and transporting Soldiers,' before he could justly draw any Inferences from it.

When the Governor is pleased to take Facts for granted, on meer Supposition, and without being truly informed, it is not difficult for him to place them in the Light he is desirous they should appear, to give him the greatest Advantages in his Argument. Thus, speaking of the *Four Thousand Pounds* intended to have been given by the late Assembly to the King's Use, he tells us, 'As *Two Thousand Pounds* was to pay the Masters of such Servants as should inlist, and the other *Two Thousand Pounds was for victualling and transporting both Freemen and Servants*, he is at a Loss to account how the Inlisting of Servants should be a Reason for laying aside the Bill; on the contrary, as the Voting of *Two Thousand Pounds* to pay the Masters was an Encouragement given by the Assembly to the Inlisting of Servants, it ought to be a Reason for passing the Bill.' This Paragraph contains divers Mistakes. First, the *Two Thousand Pounds*, proposed to be given by that Bill, was, by the Words of the Act,

made payable to the Governor, 'for the King's Use, to be disposed of in such Sort, Manner and Form, as to the King should seem meet; and not 'for victualling and transporting of Servants,' as the Governor is pleased to say. Next, it was so far from being 'an Encouragement, give by the Assembly, to the Inlisting of Servants,' that the Inlisting so many Servants was the true Reason why that Bill was laid aside. That it was contrary to the Design of that Bill, may appear from Part of the Preamble, which contains these Words: Whereas divers bought Servants, belonging to the Inhabitants aforesaid, have inlisted themselves in the King's Service; which, especially at this Season of the Year, may prove hurtful to the Province, and greatly injurious to their Masters; and therefore we would hope it may be thought consistent with the Duty of the Officers concerned, and no Detriment to the Service of the Crown, to discharge them, and not to inlist any hereafter: Nevertheless, since it may so happen, that many of the Inhabitants of this Province may, by this Means, sustain Losses their Circumstances render them unable to bear, we think it highly reasonable Provision should be made for their Relief, *&c.*' But the Officers, by the Governor's Countenance and Encouragement, persisting in the Inlisting and Detaining Servants from their Masters, notwithstanding the *Four Thousand Pounds* proposed to be given, and all Application to the Governor to discharge them (some few excepted) proving ineffectual, the Assembly thought the Giving of Money at that Time would make them accessary to one of the greatest Grievances the Province ever groaned under. And if the Interest of the Crown had suffered for Want of the Money they were willing to give, it must (to use the Words of that Assembly) 'be owing to his Misconduct; for it could not be thought reasonable to give a Sum of Money, which might be applied to transport so great a Number of our Servants from their Masters, when there were as many, if not more, Freemen inlisted, than amounted to a full Proportion to this Province.

The Governor is pleased to add, 'But the Truth of the Matter is, after the Assembly saw the Servants were inlisted, tho' contrary to his express Directions when he went down to *New-Castle*, they thought they had a good Handle of Complaint against him, and a good Pretence at the same time to save their Money.' Such is the Force of Truth, it will sometimes appear when there are the strongest Attempts to hide it. If the Inlisting of Servants was, as the Governor

here says, 'contrary to his express Directions,' how is it possible the Assembly should have thought it 'a good Handle of Complaint against the Governor? Does it not rather shew, that, as the Governor admits something did happen which might be thought 'a good Handle of Complaint against him,' it must be what in Truth it was, the Countenance and Encouragement he gave to inlisting of Servants, notwithstanding his Pretences to the contrary.

The Governor is pleased to proceed, 'Upon the same Supposition, that you were in earnest in the Bill for giving *Four Thousand Pounds*, I have been so far from adding to the Publick Expence, as you charge me, by encouraging the Inlisting of Servants (had I really done so) that the Publick has been a Saver by it: For as *Four Thousand Pounds* was intended to be granted, and but *Two Thousand Six Hundred Pounds* has been paid for Servants, there is evidently a Saving of *Fourteen Hundred Pounds* to the Publick.'

In making this Estimate the Governor might have been pleased to consider, that the *Two Thousand Six Hundred Pounds* paid for Servants, was so far from compensating the Damages sustained by their Masters, that we presume double that Sum would fall short of it. Again, on another Occasion, the Governor was pleased to tell us, 'that we had expended near *Eight Thousand Pounds* in paying for Servants,—— long Sittings, numerous Committees for drawing Petitions, Representations, and Messages; in Salaries and Expences of an Agent, and an Agent-assistant, and in Fees to Lawyers, *&c.*' If this Calculation be right (as the Expence was chiefly occasioned by the Governor's Means) the *Eight Thousand Pounds*, added to the Double of the *Two Thousand Six Hundred Pounds*, makes *Thirteen Thousand Two Hundred Pounds;* and the *Four Thousand Pounds* proposed to have been given to the King's Use, being deducted, leaves a Ballance of *Nine Thousand Two Hundred Pounds*, Damage and Expence to the Province, occasioned by Governor's Misconduct in the Instances complained of.

The Governor indeed is pleased to add, 'The *Three Thousand Pounds* lately given, has no Relation to that Matter; for that it was given unasked, and under the Pretence of commiserating the Burdens and heavy Taxes our Fellow Subjects labour under in *England*.' We answer, so was the first *Three Thousand Pounds*, as he may find by the Message of the Assembly who gave it, dated the Second of *September*, 1740; and its being unasked does not alter the Case at all.

If the true Reasons for giving it be as well understood in *England* as here,' it will be very agreeable to us; for whatever they may think of the Legality of the Gift, the Intent with which it was given must needs be approved of, *viz.* "Their being willing to demonstrate the Fidelity, Loyalty and Affection, of the Inhabitants of this Province to our gracious King."

That the Legality of the Grant of *Three Thousand Pounds* has been made a Question of by much greater Men than any of us,' may, for aught we know, be true, though we have had no other Account of it than from the Governor, and some of his Friends. If any such Question has been, we are of Opinion, it must be for want of being acquainted with our Constitution. We know there are Acts of Parliament which forbid Loans and Benevolences to the King, but those have no Relation at all, as we conceive, to the Money we gave, it being given by Virtue of an Act of Assembly which had the Royal Approbation; and we presume, those 'greater Men than any of us' might not know the Assembly have such a Power, by Virtue of an Act of Assembly now in Force. We own, 'it is not difficult to conceive, that the Refusing to give at one Time, and the Giving at another, may be equally blameable,' though we don't think it is properly applicable to our Case: But if the Governor can shew, it was lawful for the Assembly to give Money to the Crown in the Year 1740, and that it was not lawful in the Year 1741, though in both Years the Power was the same, it will, we confess, shew us something more than at present we understand. And the Governor may also, it he pleases, inform us, whether it had been as decent, and shewn full as much Duty and Regard to the Crown, to have forborn anticipating the King's Sentiments on the Acceptance or Non-acceptance of the Money directed to be presented him, until his Pleasure was known.

That we did address the Proprietaries, complaining of divers Parts of the Governor's Conduct, is now made publick. This we thought for their Interest, and the Good of the Province; whether they or we have judged best, Time may determine. Whatever Opinion we might entertain of their Partiality or Impartiality, our Application for Redress could regularly be made no where else: And as they have mistaken Facts, and taken Things upon Trust, the Judgment they have formed of the Dispute between the Governor and us, can have but little Weight.

The Governor is next pleased to proceed to acquit himself from the Charge of attempting to deprive us of our Privileges: And we are told, 'that his Duty to the King is prior and paramount to any Obligations he is, or can be laid, under to any Persons whatsoever; and where an inferior Duty interferes with a Superior, the Superior is to be preferred.' What this 'prior and paramount' Duty is, the Governor has not been pleased to inform us, nor how his Duty to the King interferes with any Engagements he is under, as Governor, to the People. We ever thought, that as the Interest of the King and his Subjects is inseparable, his Duty to the Crown was not incompatible with the privileges granted to us. And however the Governor may be pleased to gloss over his Attempt against the Privileges of the Representatives of the Freemen of this Province, it is not likely to be remembered to his Honour. 'That the Assembly have Right to sit on their own Adjournments,' the Governor admits; 'that they made a very ill use of this Privilege,' he must permit us to deny. And even suppose they had, his private Attempt to take from us that Privilege, not because it had, but because it might bring great Prejudice to his Majesty's Service,' is not to be justified.

We are advised, if we would 'preserve this Privilege, to use it with Discretion.' We answer, the Advice is good; it is both what we have done, and shall yet endeavour to do: But he must allow us to think it does not come the most gracefully from one who so lately attempted to deprive us of that Privilege. To our late Proprietary's Sentiments of this Province, we can say little, since we are not informed when, or on what Occasion, it was written. And as we have not only his Charter, but an Act of Assembly, and near Forty Years Practice conformable, without any Dispute, that we are apprized of, we think ourselves well intitled to the Privilege, whatever his private Sentiments may have been.

"The Disposition of the Publick Money,' the Governor allows, is a temporary Right; 'but denies it is a Privilege.' Not to introduce a Dispute about Words, suppose it a temporary Right only, does that justify his private Attempt to destroy that Right, established by a Law to which he himself had given his Assent?

'But the Governor is pleased to add, 'From the Observations he had made, this is so far from having been of late an Advantage to the Province, that he is convinced, some Thousands of Pounds would have been saved in the two last

Years, had the Money been appropriated by those Acts, or the Peoples Representatives been under some Check.' What Part of the Money given might have been saved, the Governor does not clearly shew us; perhaps he may think the *Two Thousand Six Hundred Pounds*, advanced to pay the Masters for those Servants, which, by his Encouragement, were inlisted and carried away from them, might have been better bestowed. And there can be no Doubt, he would be pleased to have it in his Power to prevent any Part of the Publick Money from being applied in Maintenance of those Privileges he is attempting to take away. The Proprietaries, we are told, entertain the same Opinion of this Power, and ——That the Money belongs to the People, and the more difficult it is to appropriate any of it, the less Probability there if of having it unnecessarily expended.' That the Proprietaries have like Sentiments with the Governor, and for the same Reasons, is very probable: But if 'the Money belongs to the People,' as they are pleased to admit, we should rather think this proves the People have Right to appropriate it, by the same Rule that every Man may dispose of his own: And the Appropriation made by the Representatives of the People, must be accounted and Act of their own.

The Governor further says, 'After the Account given by me to the Lords of Trade, of the defenceless State of the Province, it was added, that so long as a House of Assembly shall be composed of a Sett of Men, who oppose all Preparations for Defence, the Province will remain exposed, *&c.*'

Have not the Representatives of the People Right to judge both when there is Danger, and whether any Preparations be necessary? May not a Governor, from a Vew of increasing his own Power, though under Pretence of a Safety of the People, put these Things on Foot to aggrandize himself, though it impoverish them, and changes the Constitution? And can he call it just, because any 'Sett of Men' differ in Opinion from him, to attempt to take away one of the greatest civil Liberties they enjoy, and which they were principally concerned in procuring to others in common with themselves? The Governor is pleased to ask, How it comes to be more a Breach of his solemn Engagements now than it was two Years ago? We answer: The Assembly at that Time had the like Sentiments of his Conduct; and that it was a Breach of his solemn Engagements; which, in one of their Messages, they express in these Words: 'There was a Time in which he thought fit to intreat us *to preserve the Character we had so well deserved, of a peaceable and conscientious*

People: And to maintain that Christian Liberty which had made this Province the Administration of all its Neighbours. That in him we should always find a steady Regard for our Liberties, both Civil and Religious, &c. and that he trusted no Station of Life would alter his Sentiments: But the Times are changed; To be a peaceable and conscientious is now made dangerous: That Christian Liberty, once the Admiration of its Neighbours, is now become destructive to Society; those civil and religious Rights, which once were the only rational Foundations of Society, are now made inconsistent with Government; and where we expected an Advocate, we find the strongest Attack on our Liberties, Civil and Religious.'

To our Question, 'Whether his Majesty's Commands required that the People of this Province should be charged with carrying on Manufactures directly interfering with the Trade of our Mother Country; the Governor is pleased to answer in the Affirmative: That 'his Majesty commanded he should give his Ministers a particular Account of his Transactions.'—— That 'the Assembly insisted, as an Argument against the Legality of inlisting Servants, that Trade of Servants was advantageous to *Britain.*—— That, as this Argument was calculated to engage the Trading Part of the Nation against him, it behoved him to shew how the Trade of Servants was injurious to our Mother Country, *&c.* On this permit us to remark, That though the Reasons offered in Support of this Part of the Governor's Conduct do not prove what they are adduced for, they do prove, by Implication, more than, we presume, he intended. If the Governor was really against the Inlisting of Servants, was it not a sufficient Defence for him to deny the Charge; and how could it become necessary for him to prove that 'the Trade of Servants was injurious to our Mother Country:' and 'that the inlisting of Servants was lawful,' if he was unconcerned in it? Or, come necessary for him to prove that 'the Trade of Servants being advantageous to *Britain*, be an 'Argument calculated to engage the Trading Part of the Nation *against him*,' if he gave no Encouragement to the Inlisting and Carrying them away?

The Governor further proceeds to tell us, 'Whether it was or was not his Duty, it will not be thought an Instance of Prudence in us to bring this Matter again under the Publick Notice.' We answer: If it be admitted that Manufacturers are carried on to the Disadvantage of our Mother Country, the Observation might be just; but in this we are not agreed.

It must be owned, that many Servants have been yearly imported among us; but the Labour of far the greater Number of them is applied to the Clearing and Tilling of Land, and other Acts of Husbandry; and though some Tradesmen have likewise been brought among us, we think, any Trade carried on by their Means, very little, if at all, affects the Trade of our Mother Country: We therefore know of no Reason given the Governor to call our Prudence in Question on this Occasion; although it is probable he may be displeased to have a Part of his Conduct pointed out to him, that almost every Man who hears must censure. The 'standing Orders,' and 'Queries,' directed to be annually answer'd, the Governor is pleased to mention, we presume are, in Substance, the same with those to every other Governor on the Continent; and might, in our Opinion, be answered without Prejudice to the People of this Province; and no Governor, that we ever heard of, but himself, ever gave a like Account, or ever look'd upon it as their Duty so to do. Besides, the Governor may be pleased to remember he had, at the Date of his Letter to the Lords for Trade, been upwards of two Years in the Province; these Queries were to be annually answered, and, we believe, he will not say, that either before, or any Time since, he gave a like Account of the Province; though its State, for some Years before and since, hath been much the same. If this be so, we may leave the World to judge, whether this Part of his Behaviour does not discover the Governor's Intention of gratifying his Revenge, rather than performing his Duty.

The Governor, in a former Message, was pleased to proclaim the Merit of his Friends, in having 'supplied him with Money.' To this we answered: That 'if the Merit consisted in purchasing the King's Bills at an easy Exchange, once publishing it to the World might have been sufficient;' and we are yet of the same Mind. But why the Governor should leave the obvious Sense of the Words, to find out Insinuations not intended, we must leave him to determine; and, when he discovers his Mistake, to withdraw the Consequences he is pleased to deduce from thence. That Bills of Exchange were, at that Time, sold lower than was usual for some considerable Time before, we presume, he will not deny; and if the Gentlemen who purchased those Bills, did really give the highest Price then current, it was justly termed 'easy,' in respect to the Price formerly paid for like Bills: And therefore what great Merit there was in advanc-

ing Money, for which they had, or were to have, the King's Bills, we cannot find out.

That we did call upon the Governor to shew an Instance of the last Assembly's 'laying aside the Truth, and publickly defaming him,' it true: And he must now permit us to think he has failed in his Attempt.

The Instance the Governor was pleased to give, is Part of the Proprietaries Letter, wherein they say, 'We find the Governor was so far from desiring the Inlistment of Servants, that he very early took Measures to prevent it.' And again, 'The Assembly became the Occasion of the Grievance, though the Governor is charged with the Inconveniences that have attended it.' The Governor has been pleased to say so, and the Proprietaries believed him: But that the contrary is true, we have already shewn; and that the 'early Measures he took' was to encourage the Inlisting of Servants: So that these Paragraphs only prove the Proprietaries mistaken. Even in the Message we are now answering, the Governor contends for the Legality of inlisting of Servants, which he needed not to have done, were he not conscious the Charge was true, and that therefore it behoved him to support it.

Though this was generally believed to be true, yet so cautious were the late Assembly against fixing such a Charge on the Governor, that they forbore to do it until Enquiry was made concerning the Truth of the Fact. On this Enquiry they were satisfied the Charge was true, by Men whose Veracity has not, to our Knowledge, been questioned. But that any Examinations or Depositions were ever taken, and sent to *England*, or to be sent there, is a gross Mistake; and the Governor must give us Leave to call upon him to make good his Charge, *viz.* That 'the Assembly employed Men (some of them without Shame or common Honesty) to procure the Depositions of Blacksmiths Boys, and such like Rabble, to support it, and then clandestinely transmitted them to *England*;' or we must leave the World to judge who it is that has 'laid aside Truth,' in this Instance. And, we presume were the Governor himself to judge, he must think that those who were pointed at as wanting Shame and common Honesty,' on so gross a Mistake of his own, have been ill used; and would, perhaps, think himself not well treated, to return his own Expression, that those who 'set any Value upon a Character, would have scorned such Insinuations to the Prejudice of other Peoples.'

Our Right to petition, the Governor is pleased to allow; but adds, 'When a Petition contains Matter of Complaint

against any particular Person, that Person has a Right to a Copy of it; and the Transmitting it, without doing him that Piece of common Justice, may be justly compared to a Stab in the Dark.'

That the Governor might and ought to have a Copy of the Petition, after it is presented to the King, we agree; but that we were under any Obligation of delivering it to him unasked for, before it is presented, we do not think. And were we to admit it for Truth,———is there not the same Reason in Relation to other Complaints, as well as in those by Petition? And is not the Reason equally forcible, where the Persons complained against are more than one? What then becomes of his Letter to the Lords for Trade, and his Friends Petition, lately presented? Did he or they deliver us any Copies of those? The Governor was more than once publickly acquainted with the Intentions of the late Assembly to petition, and was informed it was to contain a Complaint against him for the Encouragement he gave to the Inlisting and Carrying away of Servants. His Letter was private; the Contents not communicated to us; and that it was intended to have remained so, his Resentment at the Discovery shews: So that it is clear an Injury was intended us, and that it should not be known from what Hand it came. And therefore his Comparison 'of the Secrecy of a *Romish* Conclave,' and an Attempt 'to Stab in the Dark,' are much more applicable to his Letter, than to the Petition of the late Assembly. It is true, that Petition was not 'published in their Votes,' which the Governor is pleased to say used to be the Practice in regard to all publick Affairs': 'But in this he is mistaken. It is not only agreeable to the Practice of 'former Assemblies' here in like Cases, and in all the Instances in our Memory, but, we think, it would have been indecent, and, in many Cases, give just Cause of Complaint, to print and publish Petitions before they are presented. How solicitous the Governor and his Friends may have been to have this Petition presented, we neither do nor are concerned to know; but whenever his Letter obtains the Honour of being laid before the King, it will be no Fault of ours if that Petition do not accompany it. Until this be determined, a Copy of the Petition can be of no Use to him that we know of. As to the Charge 'of the Examinations or Depositions that were taken and sent to support it———Designs to amuse ———Emissaries well instructed,' who made the People of the Country believe, 'that a new Governor was most certainly to come over soon;' we must desire the Governor to rank

among the Number of the many Facts in which he has been misformed, and, we think, ought to put him upon considering the Credit of the Persons by whom he is so much abused in his Intelligence.

We next proceed to that Part of the Governor's Message which relates to the Council: As they are, by our Constitution, no Part of the Legislature, we did not think any Proceedings of theirs intituled to our Notice. To this the Governor is pleased to reply, 'This might have been proper enough, had the Council thereby assumed any Part of the Legislative Power; but that in the Case before us, it is, in his Opinion, no more to the Purpose, than if we had told them. they were no Part of the College of Physicians, *&c.*

We answer: In this we must be permitted to dissent in Opinion from the Governor: If the Council are no Part of the Legislature, they have no Right to enter into any Debates with us; nor have any Proceedings of theirs a Right to our Answer: If they can take upon them to arraign and censure the Conduct of the Assembly, which they had not the least Authority of Law for doing, we know not what Power they might next assume; and it was therefore necessary to let the Governor know, they had no other Right to our Notice than any other like Number of our Constituents.

As to that Part of the Governor's Message which relates to the Resolves of Assembly, he must allow us to retain our former Sentiments, notwithstanding any Thing he is pleased to say to the contrary: But as the Discussing this Matter is not necessary on any Point in Controversy between us, we do not chuse to swell our Answer, by entering into the further Consideration of that Affair at present.

The Governor is pleased to say, 'Enough has been said of our Apprehensions of the great and frequent Importation of Foreigners.' We answer: We are of the same Opinion: Sufficient has been said to shew, that this Charge, which was attempted to be fixed on the present Assembly, took its Rise in the Proprietary Family, and was promoted by some of the Governor's Friends: And, permit us to add, That if the Governor has in Truth that Regard for the *Germans* he would persuade us to believe, his giving his Assent to the Bill we have prepared and laid before him, for confirming the Titles of those who hold Lands under some of them, who died unnaturlaized; and for enabling others of them to partake of the Benefit of a late Act of Parliament, and thereby to become naturalized (who not being of the People called *Quakers*, do yet conscientiously scruple an Oath) will be

greater Demonstration of it than any which can rise from the Part he has taken in the Debate concerning them.

The Governor's Administration in the *Lower Counties* does not immediately concern us, and therefore we can find no other Reason for his introducing it into the Debate, than to take an Opportunity of commending it: But he must allow us to think, on whatever Principles he was pleased to act, they and we were not dealt by in the same Manner relating to Servants: When the Application was made to the Governor here to discharge the Servants inlisted, 'for that the Number of Freemen were a sufficient Proportion for this Province,' his Answer was, 'That he had more than once told us, he was directed to raise as many Men as he could.' When Application was made to him in those Counties to the like Purpose, he was pleased to find out Fifteen or Sixteen Supernumeraries.

How well satisfied the Governor may be with the Opinions he has had from *England*, 'of the Legality of inlisting Servants.' he best knows: And it is at his Pleasure whether he will entertain the least Opinion of the Credit of those Persons who have given us Reason to believe it will not be thought 'a punctual Obedience to his Majesty' Commands,' nor is likely to receive his Royal Approbation. Permit us, however, to retain our former Sentiments, both of the Credit of the Persons, and the Accounts they have given; it being, what appears to us, most consistent with natural Justice, and those Rights which every Subject of the Crown of *Great-Britain* may justly claim. Whether our Conduct may have merited the King's Approbation does not become us to judge; we may, however, without Breach of Modesty, say, it is what we have endeavoured to deserve, and if we are ever so happy, as, on any Occasion, to obtain, we do assure the Governor we shall never disgust our Readers by our frequent and unnecessary Publications of it.

If there be any who 'wonder how a Governor can spent a Hundred a Year,' we are not of the Number; nor did we take upon us to judge of the Governor's economy; we leave this to the Gentlemen he allows to have Rights so to do, and if any Thing in our Message was understood to charge the Governor with being too profuse, we may assure him it was not intended.

The Governor is pleased to proceed; 'Whilst you are attacking my Rights, your Right to the Manner of paying yourselves your Wages, is not very clear;' for that 'if we may pay ourselves out of the Interest Money, because we

may apply it to what Uses we shall think fit, we have a Right, if we think fit, to divide it amongst ourselves.' We answer: The Consequence is by no Means fairly deducted from the Premises; the Power given us by Act of Assembly must and ever was understood *to such publick Uses* as we shall think fit; and as the Payment of our Wages prevents a Tax upon the People, we thought, and yet think, ourselves well warranted in applying the Money to this Purpose.

Give us Leave to add, That our Complaint against the Governor was not his 'mentioning the Sentiments of the People,' but his random Charge against the late Assembly with 'a Piece of Art in distributing the Publick Money, by the Partiality shewn in paying the Masters of Servants inlisted, *&c.*' An Insinuation altogether groundless, and very far from being the Sentiments of the People: For they entertained favourable Thoughts of that Assembly, for the Allowances made them, though it fell far short of an adequate Compensation for the Losses they sustained by those Officers, who, countenanced and encouraged by the Governor, had carried away their Servants.

It would therefore, in our Opinion, have reflected full as much Honour on the Governor's Conduct (were it in his Power) to have acquitted himself from his Charge, rather than without any Colour to attempt to fix Partiality on others, which he cannot prove.

And though we have no Reason to expect his Judgment in the Case to be equal, since, without knowing how the Affair is circumstanced, he is pleased to determine against us, by declaring, 'There is good Reason to believe, there has been a partial Distribution of the Publick Money in the Paying for Servants.' Yet, willing to give the Governor all the Satisfaction in our Power that impartial Justice was done, we shall send a Copy of the List by which the Compensation was made; of which he may make what Use he pleases: The 'Publication' we did not promise him.

As to the Persons 'removed by the Governor from Offices,' permit us to say, their Removal conferred greater Honour than was done them on the Bestowing those Offices: And were they, as the Governor is pleased to say, 'he is tempted to suspect, the Penmen of their own Praises,' after his own great Example, with this Advantage, that they had the Approbation of others, it might, we think, have escaped his Notice.

What might have been the Effect, had the Governor been pleased to 'descend to the mean Arts of Flattery and Dissim-

ulation,' as he tells us he did not put them in Practice, can only be conjectured: And as the Success he seems to have promised himself depends on mistaken Intelligence, he may allow us to think he would have been disappointed; unless he can demonstrate his Influence would have exceeded an Office and a *Hundred per Annum*. In this, however, we agree it was not worth his while to bestow great Pains in attempting to make 'a Tool,' unless he had more Prospect of Success, and had been unprovided.

We now proceed to consider what the Governor is pleased to say in these Words, 'I am persuaded you do not expect a serious Answer to your Charge of a manifest Design against the Liberties of the People. This, however, is the Engine you have work'd with to deceive the People; and you know the Advantages of it too well to part with it now. If there be such a Design, it is strange it should be manifest to none but you and your Partizans.'

'We answer: The Party we are of is our Country. How the Governor can pretend either that there is not a Design against the Liberties of the People, that it is not manifest, or that he can suppose there is any Colour to charge this as an 'Engine we have work'd with to deceive the People,' appears to us very extraordinary. Is not the Right of being elected to serve in Assembly one of the greatest Liberties the Inhabitants of this Province enjoy? And hath not the Governor manifestly attempted to deprive great Numbers of the Freemen of this Province of that Right? Are not the Liberties of the People affected when Designs are set on Foot to deprive their Representatives of their Privileges? These, and other Instances, which might be given, are so flagrant, that we are at a Loss to know why he should think we do not expect a serious Answer, unless he is pleased to suppose we are to be jested out of our Privilege.

The Governor must give us Leave to add, that we think no one but himself can find out any Thing in our former Message which shew'd the least Distrust 'of his Majesty's Royal Virtues: Or that we thought he would give the least Countenance to 'Enterprizes destructive of our Liberties: and yet it does not follow, but that such Attempts have been made, and that it is our Duty to the utmost of our Power to oppose them.

It gives us great Concern, that we are put under the Necessity of continuing this Debate; and it would be highly satisfactory to us to put an End to it on any Terms consistent with our Duty, and the Good of our Country. As to the

Bills which lie before the Governor, since he was pleased to tell us, That 'he did not think he could be in any Degree discharged from the Obligations he is under to promote our Ease and Happiness:' That 'those Bills he supposed we judged necessary for those Ends, and as such they should not fail of having their due Weight with him;' we had Reason to hope he would have given them all the Dispatch in his Power; either by proposing Amendments, or giving his Assent to them as now formed. This would have engaged us chearfully to have made further Provision for the Governor's Support, in the Manner which hath been usual on the Passing of Bills; but his last Messages deprive us of any Expectations of this Kind, and only leave us Room to wish the Governor was free from all 'undue Influences,' and more at 'Liberty to exercise his own Judgment in conducting the Publick Affairs,' without insisting on Terms not be complied with, but by altering the Manner in which this addition Support has been usually given.

Before we conclude, permit us to add: It is not the Governor's 'endeavouring to enforce the King's Instructions' that is an Obstactle in our Way to giving him this additional Support (what Instructions of the Proprietaries he may allude to, he knows best) but if the Governor had shewn that Regard to the Liberties of the People of this Province they had Reason to expect, and had proceeded on the Bills before him, as former Governors have done, he may assure himself we should have made a suitable Provision for him: And since he has not thought fit to come into these Measures, what remains for us to do, is to give the necessary Dispatch to so much of the Publick Business yet undone, which is in our Power, and adjourn to the End of the Year.'

And the Message being signed by the Speaker by Order of the House,

Ordered, That *Oswald Peel*, and *Anthony Shaw*, wait upon Governor with the same; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same, according to Order.

The Committee of publick Accounts, to whom the Accounts of Expences on the *Indians* were referred, made their Report in Writing, as follows, *viz.*

WE have examined the Accounts sent to the House from the Governor and Council, relating to a Treaty held with the Deputies of the *Six Nations*, from the Second to the Twelfth of *Fifth Month* last; and do report, That the Sum of *Forty-seven Pounds, Eighteen Shillings*, and *Nine-pence*, is charged in the Account of Expences for mending and repairing the Guns and Hatchets, and for new Locks, Hatchets, *&c.* supplied the *Indians;* and there is an Article of *Thirty-six Pounds, Eighteen Shillings*, and *Three-pence* charged in *Conrad Weiser's* Account for *Indian* Expences, on their Journey to *Philadelphia:* The Particulars of which (as his Account explains it) 'have been laid before the Governor and Council some Time ago,'———but are not amongst the Papers sent to the House.———

The Amount of Expences, as by the Account sent to the House, is ————	£345	2	10
Of which the Proprietary is charged One Quarter Part, ————	86	5	8½
Leaves	£258	17	1½
The Province is also debted for an Allowance to *Conrad Weiser*, as Interpreter, ————	30	0	0
Makes	£288	17	1½
And for a Present made to the *Indians* on Behalf of the Province, ————	301	6	2
In all,	£590	3	3½

And we do further report, That *Thomas Walker* had deducted from his Account the Sum of *One Pound Five Shillings*, according to his Agreement, which must be allowed out of the above Sum.

And in Pursuance of a Minute of the House of the Twenty-eighth of the *Third Month* past, we do report, That the Treasurer charges the Province, in *October* last, with the Sum of *Forty-three Pounds, Ten Shillings*, and *Four-pence Halfpenny*, 'for a Present and Entertainment of some *Indians* from the *Six Nations (viz.* Ten in Number) which the Governor and Council were of Opinion should have a Present of about *Twenty Pounds*,———and well entertained while here.'——— But the Reason for charging the said Sum to the Province, or the Business upon which they came, has not yet been laid before the House.———And the Treasurer also charges the farther Sum of *Ten Pounds, Ten Shillings*, and *Six-pence*, for

Medicines and Attendance to an *Indian* Woman grievously wounded by a Wagon running over her.

And the House taking the same into Consideration,

Ordered, That *Benjamin Field*, and *Joseph Harvey*, wait on the Governor, and acquaint him, that at the last Sitting of Assembly he was pleased to send down an Account, in which the Province is charged with *Forty-three Pounds*, *Ten Shillings*, and *Four-pence Half-penny*, said to be for *Indian* Treaties, and a Present to the *Indians;* and that the House desire he will be pleased to communicate to them the Contents of that Treaty, and the Occasion of the Present made, that they may judge whether the Province ought to be charged with it or not; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same, according to Order; and that the Governor was pleased to say, he would order a Copy of the Minutes of Council to be laid before the House this Morning, for their Satisfaction in that Affair.

The Secretary brought down a Copy of the Minutes of Council, and the same was read, and considered.

Resolved, That the Treasurer's Account of *Forty-three Pounds*, *Ten Shillings*, and *Four-pence Halfpenny*, for a Present to the *Indians* and Expence in their Entertainment, be allowed.

The House resuming the Consideration of the Report of the Committee upon the *Indian* Accounts.

Resolved, That the Sum of *Three Hundred Pounds* be allowed as a Present to the *Indians* at the late Treaty.

Resolved, That One Half of the Expence of entertaining the *Indians*, carrying their Goods, *&c.* be borne by the Publick.

The Committee of publick Accounts laid before the House a List of such Delinquent Borrowers on the last Paper-Money Act, who are more than one Quota behind in their Payments into the Loan-Office; and then the House adjourned to Two a Clock in the Afternoon.

The House met, *&c.*

The House resuming the Consideration of the Report of the Committee upon the Publick Accounts, and the Accounts of the General Loan-Office, the same was approved and allowed by the House, and follows in these Words, *viz.*

We the COMMITTEE *appointed by Order of* ASSEMBLY *to settle the Accounts of the* GENERAL LOAN-OFFICE *of the Province of* Pennsylvania, *Report.*

THAT upon a careful Examination of all the Mortgage Deeds taken by Virtue of all the Acts of Assembly for emitting Paper Bills, and now remaining in the Loan-Office undischarged, we find there are principal Sums or Quota's on them due and to become payable to the Trustees, the Sum of	£ 50245	6	2
That a Part of the last Year's List of Mortgage Deeds, lent on Loan, not yet due, amounts to the Sum of	2534	5	0
That a List of 120 Mortgage Deeds have been taken, Part on the second, and Part on the third Re-emmission by Virtue of the *Eighty Thousand Pounds* Act, since the last Settlement in *August*, 1741.	7309	15	0
That there are Quots's outstanding, and now due on all the said Mortgage Deeds, as *per* List exhibited by the Trustees to the Committee, and by them computed and examined, amounting to the Sum of	15445	2	11
That several Sums, lent by the Province to the Publick, and directed to be repaid into the General Loan-Office, are still outstanding, *viz.*			

From the City of *Philadelphia*, for Money lent them on the first *Thirty Thousand Pounds* Act, ...	156	0	0			
The whole Sum appropriated to the Building of the State-house, by the second *Thirty Thousand Pounds* Act, ...	2000	0	0			
Part of the Sum lent the City of *Philadelphia*, for the Building of the Alms-house,	937	10	0			
Part of the Sum put into the Provincial Treasurer's Hands, ...	200	0	0			
				£	3293	10 0
				£	78827	19 1
Ballance in the Trustees Hands, ...					1172	0 11
Makes the whole Sum current in the Province				£	80000	0 0
That the Trustees, upon the Interest Account, charge the Province with Interest outstanding on all the Mortgage Deeds now remaining in the Loan-Office, as *per* List, amounting to the Sum of	£ 5770	18	8¼			
And for sundry Orders paid for Assemblymens Wages, ...	210	12	6			
Paid *Isaac Norris* for a Bill of Exchange sent to the Agent, ...	166	5	0			
And for sundry Orders of Assembly paid for Servants, ...	66	15	9			

Cash paid for Bills of Exchange, amounting to *Two Thousand Pounds Sterling*, remitted to *England* for the King's Use, ...	3083	19	11½	
Paid *Samuel Kirk*, for Firewood, *Six Pounds, Fourteen Shillings*, and *Twopence;* and for a Pair of Hand-irons, *Five Pounds.*	11	14	2	
Paid *Thomas Leech* towards furnishing the State-house,	100	0	0	
Paid *William Allen, per* Proprietary's Order, pursuant to a Law, ...	730	0	0	
Paid for *Fisher's Island*, for the Use of the Province,	1717	0	0	
Paid *Benjamin Franklin*, towards printing the Laws,	50	0	0	
Paid for drawing Deeds for *Fisher's Island*, and a Declaration of Trust, ...	5	0	0	
Paid the Trustees Salary for the current Year, ...	550	0	0	
Carried over, ...	£12462	6	0¾	
Brought over, ...	£12462	6	0¾	
Paid *Charles Brockden*, for 115 Mortgage Deeds, according to the Direction of a Law of this Province, ...	115	0	0	
By exchanging *Twelve Thousand* and *eighty-three Pounds, Thirteen Shillings*, at *Twenty-seven Pounds Ten Shillings per Thousand*, is	33	3	6½	
				£12610 9 7¼

That the Trustees credit the Province for last Year's Ballance of Interest, ...	£	507	13	0	
By Interest outstanding at last Settlement, ...		5142	10	0½	
By Ditto arising on all the Mortgage Deeds for current Year, ...		2990	3	0½	
By broken Interest receiv'd this Year, ...		672	19	5	
By Cash receiv'd of *Samuel Preston*, Provincial Treasurer, ...		1100	5	0	
	£	10413	10	6	
Ballance due to the Trustees, for which they are to be credited in their next Year's Accounts, ...		2196	19	1¾	
					£ 12610 9 7¼

We the COMMITTEE *appointed by Order of the* ASSEMBLY, *to audit and settle the* PUBLICK ACCOUNTS, *Report*,

THAT we have examined the Provincial Treasurer's Account, and find that he credits the Province for the several Articles following, *viz.*

By the Ballance of last Account settled by the Committee, ...	£	637	18	7¼
By Cash receiv'd of *Joseph Wharton*, Collector of Excixe for the City and County of *Philadelphia*, since last Settlement, ...		1844	5	0
By Ditto received of *Thomas Cummings*, Collector of Ditto for *Chester County*,		328	0	0

By Ditto receiv'd of *William Atkinson*, Collector of Ditto for *Bucks* County, ..	87	0	0			
By Ditto receiv'd of *James Mitchell*, Collector of Ditto for *Lancaster County*, ...	95	0	0			
By Ditto receiv'd of *John Hart*, of *Bucks* County for Fines and Forfeitures, ..	9	15	0			
				£	3001	18 7¼
That the said Treasurer charges the Province with the several Articles following, *viz*:						
To cash paid sundry Persons, the Ballance of their accounts against the State-house, in the late Superintendant's Time, ...	363	3	1			
To Ditto paid sundry Orders of Assembly for incidental Charges of Government, as *per* Orders produced and examined by the Committee, ...	146	16	0			
To an Order of Assembly, paid *John Kinsey*, his Salary as Attorney-General, ...	100	0	0			
To Ditto paid *Thomas Graeme, Esq; one of the* Provincial Judges, ...	50	0	0			
To Ditto paid *Thomas Griffitts*, Esq; one other of the said Judges, ...	50	0	0			
To Ditto paid *Benjamin Franklin*, in full of his Account, ...	50	7	0			
	50	7	0			
To sundry Orders of Assembly for Servants, examined by the Committee,	244	9	0			
Carried over, ...	£ 1004	15	1			
Brought over, ...	£ 1004	15	1			

To Cash paid *John Kinsey*, in Part of the Money directed by the Assembly to be remitted to *England* for the King's Use, ...		1100	5	0			
By Cash paid for *Indian* Treaties in *October* last,		54	0	10½			
		2159	0	11½			
His Commission thereon at *Five per Cent.*		107	19	0¼			
		2266	19	11¾			
Ballance remaining in the Hands of the Treasurer, due to the Province, ...		734	18	7½	£	3001	18 7½
That we have examined the Accounts of *Joseph Wharton*, Collector of Excise for the City and County of *Philadelphia*, and find that the whole Amount of the Excise, from *September* 1, 1740, to *September* 1, 1741, is,	£	2153	5	8			
Received from sundry Persons rated *per Annum*, ..		15	18	2			
Received for Fines, ...		5	0	0			
Received of *Peter Robeson* an Outstanding, in *J. Hyatt's* Time, ...		5	18	0	£	2180	1 10
That he discharges himself from the said Sum by several Payments made the Provincial Treasurer before the last Settlement towards the above Year's Excise, ...	£	499	19	1½			
And paid to the Treasurer to compleat the said Year's Excise, ...		1516	12	7			
	£	2016	11	8½			
His Commissions thereon, at *Seven* and *a Half per Cent.*		163	10	1½			
					£	2180	1 10

That he hath paid the Provincial Treasurer towards the current Year's Excise, not accounted for the year not being expired, *Three Hundred* and *Twenty-seven Pounds, Twelve Shillings*, and *Five-pence.*							
That we have examined the Accounts of *William Atkinson*, Collector of Excise for the County of *Bucks*, and find the Ballance of last Years Account, as settled with the Committee, ...	£	196	16	1			
And that the whole Amount of Entries, from *August* 12, 1741, to *August* 12, 1742, is		127	14	1			
					£	297	10 2
And that he hath paid the Provincial Treasurer since last Settlement with the Committee, ...	£	87	0	0			
And by Allowance of Sundries, as per Account, ...		1	5	2			
And by Ditto for Wine sour'd, and Loss on Rum leak'd *&c.*		2	2	4			
His Commissions on *Eighty-seven Pounds*, at *Ten per Cent*, ...		8	14	0			
Ballance due to the Province, ...		198	8	8			
					£	297	10 2
We have likewise examined the Accounts of *Thomas Cummings*, Collector of Excise for the County of *Chester*, and find a Ballance due to the Province at last Year's Settlement with the Committee, ...	£	534	19	9			

And that the whole Amount of Entries, from *August* 1, 1741, to *August* 1, 1742, is		210	0	5			
And that he hath received for Fines, ...		5	0	0			
					£	750	0 2
And that he hath paid the Provincial Treasurer, since the last Settlement with the Committee,	£	328	0	0			
His Commissions thereon at Ten per *Cent.*		32	16	0			
Ballance due to the Province, ...		389	4	2	£	750	0 2
The Collector of Excise for the County of *Lancaster* did not appear, but the Provincial Treasurer gives Credit for Cash received since last Settlement with the Committee					£	95	0 0
We do further report, that we have sunk and destroyed of the old Bills of the several Emissions and Denominations, pursuant to the Directions of the *Eighty Thousand Pounds* Act, the Sum of	£	12086	13	0			
And sunk by former Committees, pursuant to the Direction of the said Act,		42877	12	6			
Remains to sink to compleat all the Paper Bills of the several Emissions, down to *Eighty Thousand Pounds* Act, the Sum of		13925	9	6			
Which Sum was the whole Currency in Paper Bills in the Province before the *Eighty Thousand Pounds* Act, ...					£	68889	15 0

That the Accounts of *Charles Read*, former Collector of Excise for the City and County of *Philadelphia*, and of the Duty upon *Negroes*, remain as in the Report of 1734.

Submitted to the Correction of the House, August 19, 1742.

ISAAC NORRIS, ABRAHAM CHAPMAN,
THOMAS LEECH, JAMES MORRIS.
JOSEPH HARVEY,

And the House observing, that several of the Collectors of the Excise are delinquents in paying the Money they collect into the Treasury.

Ordered, That the Treasurer call upon them to make speedy Payment of the respective Ballances now in their Hands.

Ordered, That *Samuel Levis* and *Joseph Shaw* wait upon Governor, and acquaint him, that the House having nearly gone through the Business that lay before them, propose to adjourn to the Thirtieth of *September*.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor made no Objection to the Time of Adjournment.

Benjamin Franklin's Account for printing the whole Body of Laws of this Province, and binding the same, amounting to *Two Hundred* and *Sixty-one Pounds*, was read and allowed: and ordered, that an Order be drawn and signed by the Speaker, for the Payment of the Ballance of the said Account, upon the Delivery of the Work: And that the Books be distributed as follows, *viz.*

To the Governor, two. To the present Assembly, each one. To the Agent, one. To the Judges of the Supreme Court, each, one. To the Judge of each County Court, one. To the Clerks of the Courts of Common Pleas, in each County, one, for the Use of the Court. To each Clerk of the Sessions, for the Use of the Court, one. To the Mayor and Recorder of the City of Philadelphia, each, one. To the Clerk of the Mayor's Court, one. To the Corporation of *Philadelphia*, one. To the Library Company of *Philadelphia*, one. To the Commissioners and Assessors of each County, one. To the Assessors of the City of *Philadelphia*, one. To each Sheriff, one. To each Coroner, one. In each of the Counties of *Bucks*, *Chester*, and *Lancaster*, one, for the Use of the Grand-Juries,

and the Residue to be distributed among the County Justices, according to their Seniority; no one Person to take in a double Capacity.

Ordered, That the Clerk make out a Copy of the List of Servants paid for by the Publick, to be delivered to the Governor: To which is to be added the following Allowances, now made on the same Account, *viz.*

To *Wright Massey*, for the Loss of his Servant inlisted,	£ 11	14	4½
To *Abraham Emit*, for Ditto,	3	13	7
To *James M'Cleur*, for Ditto,	3	17	6

It being moved to the House that the Expence concerning *Indian* Affairs runs high this Year; that the Manner in which Presents have been usually made, has put the House under Difficulties, having been done at Times in which there has been no Opportunity of consulting the Assembly; and that a proper Expedient for preventing these Difficulties for the future, will be to appoint annual Committees for *Indian* Affairs, who might have the Authority of the House to give Directions therein:———The Motion was approved by the House; but the Year being near expiring, it was referred to the Consideration of the next Assembly.

Resolved, That *Two Hundred Pounds Sterling* be transmitted by the Committee of Correspondence to the Agent, to remain in his Hands for defraying the Expence of negotiating the Affair of this Province in *Great-Britain*.

Resolved, That the Speaker be allowed, for revising the Body of Laws, and preparing the same for the Press, making the proper References, forming the Table, and compiling the Appendix out of the old Records of the Province; as also for drawing Bills, and other Services, *Seventy Pounds*.

Then the several Orders for Payment of the Members Wages, the Salaries of Officers, and the other incidental Charges and Allowances, being prepared, and signed by the Speaker, by Order of the House: the House adjourned to the Thirtieth of *September* next.

INCIDENTAL CHARGES.

To *Thomas Graeme*, Esq; one of the Judges of the Supreme Court, his Salary, ...	£ 50	0	0
To *Thomas Griffitts*, Esq; another of the Judges of the same Court, ...	50	0	0
To *Richard Patridge*, Esq. his Salary as Agent, £100 *Sterling*, ...	160	0	0

To the Committee of Correspondence, to be transmitted to the Agent, £200 *Sterling*, as *per* Resolve,	320	0	0
To the Speaker for revising the Laws, drawing Bills, *&c.*	70	0	0
To the Members of Assembly for their Attendance and Services in the House, at *Five Shillings per Diem*, the Gross Sum,	309	0	6
To *Isaac Norris*, for his Attendance on the Committee of Accounts, and sinking Paper-Money, 26 Days, at *Five Shillings per Diem*,	6	10	0
To *Thomas Leech*, for Ditto,	6	10	0
To *James Morris*, for Ditto,	6	10	0
To *Abraham Chapman*, for Ditto 18 Days,	4	10	0
To *Joseph Harvey*, for Ditto,	4	10	0
To *Samuel Blunston*, for his Service on a Committee, 5 Days,	1	5	0
To *Anthony Shaw*, for Ditto,	1	5	0
To *Jeremiah Starr*, for Ditto, 2 Days,	0	10	0
To *Thomas Griffitts*, Esq; Keeper of the Seal, as *per* Account,	7	19	0
To *John Kinsey*, Esq; late Attorney-General, six Months Salary,	50	0	0
To *Charles Brockden*, Esq; Master of the Rolls, for recording, *&c.*	13	9	2
To the *Trustees* of the *Province-Island*, their Account of Disbursements,	75	9	0
To Doctor *Lloyd Zachary*, for visiting sickly Vessels,	25	0	0
To *Doctor Bond*, for Ditto,	5	10	0
To *Benjamin Franklin*, as Clerk of the House, and for printing the Votes, *&c.*	55	4	6
To Ditto, the Ballance of his Account for printing and binding the Body of Laws for the Publick,	211	0	0
To *Charles Lloyd*, for transcribing the Report of the Committee of Accounts and other Services,	3	0	0
To *Samuel Kirke*, his Salary as Serjeant,	8	0	0
To Ditto, for Wood and other Necessaries for the Use of the House,	4	7	6

To *Thomas Burden*, Doorkeeper, for Attendance and other Services,	6	2	0
To *Charles Stow*, Doorkeeper to the Council,	4	0	0
To *Thomas Croasdale*, for Maintenance of *Jacob Seabring*,	7	15	0
To a Present to the *Indians*,	300	0	0
To Expences in entertaining them,	184	8	11
	£ 1952	12	7

At an ASSEMBLY *held in* PHILADELPHIA, the *Fourteenth Day of* OCTOBER, ANNO DOMINI, 1742.

By the Returns of the Sheriffs of the respective Counties, it appears that the following Gentlemen were chosen on the first and second Instant, to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania*, for the Year ensuing, *viz.*

Philadelphia *County*.	Bucks *County*.	Chester *County*.
Thomas Leech,	*Mahlon Kirkbride*,	*James Gibbons*,
John Kinsey,	*Mark Watson*,	*John Owen*,
Robert Jones,	*John Watson*,	*Samuel Levis*,
Isaac Norris,	*Abraham Chapman*,	*Jeremiah Starr*,
Edward Warner,	*John Hall*,	*Thomas Chandler*
Owen Evans,	*Benjamin Field*,	*Joseph Harvey*,
James Morris,	*Joseph Shaw*,	*William Hughes*,
Joseph Trotter.	*Garrat Vansant*.	*Thomas Tatnal*.

Philadelphia *City*.
Israel Pemberton, *Oswald Peele*, } Burgesses.

Lancaster *County*.
Samuel Blunston,
John Wright,
Thomas Lindley,
Anthony Shaw.

AND the whole Number being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker; and *John Kinsey*, Esq; was unanimously chosen Speaker for the ensuing Year, and accordingly was placed in the Chair.

Ordered, That *Thomas Leech*, *Israel Pemberton*, *Mahlon Kirkbride*, *James Gibbons*, and *Samuel Blunston*, wait upon the Governor, and acquaint him, that the Representatives are met, in Pursuance of the Charter of Privileges and Laws of this Province, and have chosen their Speaker; and desire to know when the Governor will be pleased to receive the House, that they may present their Speaker; then the House adjourned to Ten a Clock To-morrow Morning.

The House met. &c.

The Gentlemen appointed Yesternight to wait on the Governor with the Message of the House, report, that they delivered the same, according to Order; and that the Governor was pleased to say, he would, by his Secretary, let the House know at what Time he would receive them, with their Speaker.

The Secretary attending without, was called in, and said,

"Gentlemen,

The Governor requires the Attendance of the Representatives at Twelve a Clock, at his House, in order to present their Speaker."

Then the Secretary withdrew.

Accordingly the Speaker left the Chair, and, with the whole House, waited on the Governor.

And being returned, the Speaker reported, That the House had waited on the Governor, and presented their Speaker: and that the Governor was pleased to say to him, "I hope your Conduct will be such as may merit the Assembly's Choice, and my Approbation."
That he had thereupon, in the Name and Behalf of the House, made the usual Petitions, *viz.*

That the House, during the Time of their Sitting in Assembly, may enjoy Freedom of Speech in all their Propositions and Debates: That the better to discharge the Business of the Publick, they may at all seasonable Times have free Access to the Governor: That their Persons and Estates may be protected from all Arrests during the Time of Privilege accustomed: That it would please the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into a Resolve, nor give the least Credit to such Report: And lastly, That his own (the Speaker's) unwilling Mistakes may be excused, and not imputed to the House.

All which he had requested as the just Rights and Privileges of the People of *Pennsylvania*, derived and confirmed to them by their Charter and the Laws of this Province. To which the Governor was pleased to answer, "I have never hitherto invaded any of your Privileges. Those you have now mentioned seem essentially necessary to the Being of an Assembly; and you may be assured, that all such as you have a just Right to, shall be maintained by me inviolably."

Then the Qualifications by Law directed were taken and subscribed, first by the Speaker in the Chair, and then at the Table by all the rest of the Members in their Order.

Resolved, That *Benjamin Franklin* be Clerk of this House for the ensuing Year.

And he was qualified accordingly.

A Petition from *Joseph Pritchard*, praying to be appointed Serjeant to this House, was presented, and read.

Resolved, That *Samuel Kirke* be Serjeant to this House for the ensuing Year.

Resolved, That *Thomas Burden* be Door-keeper to this House for the ensuing Year; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

Resolved, That *Richard Patridge*, Esq; be continued Agent of this Province, at the Court of *Great-Britain*, for the ensuing Year.

Ordered, That *Isaac Norris*, *Thomas Leech*, and *Israel Pemberton*, be (with the Speaker) a Committee of Correspondence.

Ordered, That *Isaac Norris*, *Thomas Leech*, *James Morris*, *Abraham Chapman*, *Joseph Harvey*, and *Samuel Blunston*, be a Committee to audit and settle the Accounts of the General Loan-Office, and other Publick Accounts; and to sink and destroy old Bills of Credit received in Exchange. Pursuant to the last Paper-money Act: And they have Power to send for Persons, Papers and Records.

Ordered, That *Isaac Norris*, *James Morris*, *John Hall*, *Samuel Levis*, *Samuel Blunston*, be a Committee of Grievances for the ensuing Year: and they have Power to send for Persons, Papers and Records.

Ordered, *That Thomas Leech*, *Isaac Norris*, and *Israel Pemberton*, be a Committee to revise the Minutes before they are printed; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

A Petition from a considerable Number of the Inhabitants of the City and County of *Philadelphia*, setting forth, that the Petitioners, and others, being met together, according to the Charter and Laws of the Province, in a peaceable Manner, to choose their Representatives, *&c.* were violently assaulted by a great Number of Seamen, collected from several Ships in this Port, armed with Clubs, and other dangerous Weapons: who with great Fury drove many from the Place of Election,

beating and wounding great Numbers of the Freemen, to the Peril of their Lives, not sparing those few good Magistrates who used their Endeavours to preserve the Peace, and suppress the Rioters. That as those Men were entire Strangers, and had not the least Provocation, nor any Right to intermeddle with the Election, it is strongly suspected some Persons, yet unknown, must have instigated them to this wicked Conduct, in order to derive the People of their Freedom in Elections, on which their Liberties entirely depend: And therefore earnestly praying that the House, as the grand Inquest of the Province, would make a strict and speedy Enquiry into the Premises, that the Authors of so violent an Attempt on the Lives and Liberties of the People may be known, and duly prosecuted; and take such Measures for the more effectual Security of the Peace at future Elections, as to the Wisdom of the House shall seem meet; was presented to the House, and read, and *ordered to lie on the Table.* Then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met according to their Adjournment.

The Petition from the Freeholders of *Philadelphia* City and County, complaining of the Outrage of the late Election, was again read, and considered; and the further Consideration thereof referred to To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The House resumed the Consideration of the Petition of the Freeholders of *Philadelphia* City and County; and, after some Time spent therein,

Resolved, That the House will To-morrow Morning resume the Consideration of the said Petition, and examine such Witnesses as shall appear in Support of the Facts contained therein; and that Notice be given to some of the Petitioners accordingly; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

Ordered, That *Oswald Peele*, *Edward Warner*, *John Watson*, and *Joseph Harvey*, be a Committie to prepare and bring in a Supplementary Bill to the Act for electing Members of Assembly.

Ordered, That *James Morris*, *Joseph Trotter*, *Abraham Chapman*, and *Samuel Blunston*, be a Committee to prepare and bring in a Bill for the more easy and speedy Recovery of small Debts.

Ordered, That *Thomas Leech*, *Isaac Norris*, *Robert Jones*, and *John Wright*, be a Committee to prepare and bring in a Bill for naturalizing such foreign Protestants as are settled or shall settle, in this Province, who, not being of the People called *Quakers*, do conscientiously refuse the Taking of any Oath; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

A Bill for the more easy and speedy Recovery of small Debts, was read the first Time, and ordered a second Reading.

A Bill for continuing and amending an Act, intituled, *A Supplement to an Act for electing Members of Assembly*, was read the first Time, and ordered a second Reading.

The House being informed, that one of the Petitioners attended without, with a List of the Names of such Evidences as were to be adduced in Support of their Petition, he was called in, and delivered the same at the Table, and then withdrew.

Ordered, That the Serjeant give Notice to *John Hyatt*, *Hugh Roberts*, *John Dilwyn*, *Thomas Lloyd*, and *Anthony Morris*, junior, that the House requires their Attendance at Three a Clock this Afternoon, in order to be examined touching their Knowledge of what happened relating to the Riot at the late Election; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Serjeant being called in, reported, That he had, according to the Order of the House, notified the several Persons mentioned in the said Order (the Sheriff, *John Hyatt*, excepted, who is not in Town) that the House required their Attendance; and accordingly they are now attending in the Lobby. And then the Serjeant withdrew.

Ordered, That *Isaac Norris*, Esq; being one of the Magistrates of the City of *Philadelphia*, do qualify the Persons who appear to give Evidence to the House.

Which being done accordingly, they were called in and examined, and their Depositions taken down in Writing; and then they withdrew.

Ordered, That *Samuel Preston*, *John Hyatt*, *John Reynell*, *Joseph Wharton*, *Israel Pemberton*, junior, *Reese Meredith*, and *Samuel Norris*, attend this House To-morrow Morning at Ten a Clock, and that the Serjeant give them Notice accordingly; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Serjeant being called in, reported, that he had notified the Pleasure of the House to the several Persons whose Names were contained in the Order of Yesternight, and that they were now attending accordingly in the Lobby.

And being first qualified, they were called in, and *Samuel Preston*, *John Hyatt*, *Joseph Wharton*, and *Israel Pemberton*, junior, were examined; and their several Depositions being taken in Writing, they withdrew; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House proceeded in examing the Witnesses relating to the Riot, and *Joseph Lownes*, *John Reynell*, *Reese Meredith*, and *Samuel Norris*, being qualified, were examined, and their Depositions being taken in Writing, they withdrew.

Ordered, That *Wight Massey*, *Willian Hudson*, junior *John Fisher*, *Joseph Stiles*, and *Joseph Hitchcock*, attend the House at Ten a Clock To-morrow Morning, and that the Serjeant give them Notice accordingly; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Serjeant being called in, reported, that the Persons named in the Order of Yesterday, had been notified by him, and were now attending.

And being qualified, they were called in, examined, and their Depositions taken in Writing; and then they withdrew.

Ordered, That *William Moode*, *John Ogden*, *Matthias Aspdin*, *Robert Hopkins*, *Joseph Morris*, *Nicholas Cassell*, *Swan Warner*, *Isaac Roberts*, *Thomas Croasdale*, and *Cadwalader Evans*, attend the House at Three a Clock this Afternoon, and that the Serjeant give them Notice accordingly; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Serjeant being called in, reported, that he had notified the Order of the House to the several Persons mentioned therein, and that they were now attending.

And being first qualified, they were called in, examined, and their Depositions taken in Writing; and then they withdrew.

Ordered, That *John Mifflin*, *Richard Edwards*, and *John Mitchell*, be notified to attend the House at Ten a Clock To-morrow Morning; and then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Serjeant reported, that two of the Persons mentioned in the Order of Yesternight were attending, and that the other, to wit, *Richard Edwards*, was not in Town.

Whereupon *John Mifflin*, and *John Mitchell*, were qualified, called in, and examined, and their respective Depositions taken in Writing; and then they withdrew.

Application was made to the House by one of the Members, in Behalf of *Isaac Crall*, for an Allowance out of the Treasury, on Account of his Loss of a Servant who was inlisted; and the same was referred to the Committee of Grievances.

Thomas Burgess, one of the Witnesses named in the List laid before the House by the Petitioners, being in Town, was sent for, qualified, examined, and his Deposition taken in Writing; and that he withdrew; then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met pursuant to their Adjournment.

Ordered, That *George Wells*, *Samuel Morris*, Miller, *Joseph Thomas*, and *William Annis*, attend the House To-morrow Morning, and that the Serjeant give them Notice accordingly; then the House adjourned to Nine a Clock To-morrow Morning.

The House met, *&c.*

Ordered, That the Serjeant notify *Benjamin Paschall*, and *John Costar*, that the House requires their Attendance.

The Bill for the more easy and speedy Recovery of small Debts, was read a second Time, Paragraph by Paragraph, and ordered to be ingrossed.

The Serjeant reported, that he had notified the Orders of the House to the Persons mentioned therein, except two, who are not in Town, and that some of them are now attending.

The Bill for continuing and amending the Act, entitled, *A Supplement to the Act for electing Members of Assembly*, was read a second Time, and ordered to be ingrossed; then the House adojurned to Three a Clock in the Afternoon.

The House met, *&c.*

Thomas Lievesly, one of the Witnesses relating to the Riot, adduced by the Petitioners, being in Town, was sent for, qualified, and examined, together with *William Annis*, and *Samuel Morris*, Miller; and their Depositions being taken in Writing, they withdrew.

Ordered, That Notice be given to *Arthur Tough*, and *Joseph Rakestraw*, that the House requires their Attendance at Ten a Clock To-morrow Morning; and then the House adjourned To Ten a Clock To-morrow Morning.

The House met, *&c.*

The Serjeant reported, that he had notified the Order of the House to the several Persons therein mentioned, and that they were now attending.

And being qualified, they were called in, and examined; and their Depositions being taken in Writing, they withdrew.

Ordered, That *Isaac Griffitts*, *William Logan*, *Preston Carpenter*, *Samuel Burge*, *Richard Hockley*, *John Costar*, and *Benjamin Paschall*, attend the House at Three this Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The several Persons mentioned in the Order of the Morning, were qualified, called in, and examined; and their several Despositions being taken in Writing, they withdrew; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

An Account from *Samuel Hall*, for Work done at the State-house in the Time of the late Superintendant, amounting to *Twenty Pounds*, *Eight Shillings*, and *Eight-pence*, was exhibited to the House, and read: and the same was referred to the present Managers, who are to enquire and report what Part, or whether any thereof, hath been paid.

A Bill, intituled, *An Act for naturalizing such foreign Protestants as are settled, or shall settle in this Province, who, not being of the People called* Quakers, *do conscientiously refuse the Taking of any Oath*, was read the first Time, and ordered a second Reading.

A Bill for the Relief of the Heirs, Devisees and Assigns of Persons born out of the King's Liegance, who have been, or may be, Owners of Lands within this Province, and die unnaturalized, was read the first Time, and ordered a second Reading; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Bill for naturalizing such foreign Protestants, *&c.* was read a second Time, and ordered to be ingrossed.

The Bill for the Relief of the Heirs, Devisees and Assigns, of Persons born out of the King's Liegance, who have been, or may be, Owners of Lands within this Province, and die unnaturalized, was read a second Time, and committed to *Thomas Leech*, *Isaac Norris*, *Robert Jones*, *Samuel Blunston*, and *John Wright*, for Amendment.

Ordered, That *Richard Edwards* be notified to attend the House this Afternoon; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

Richard Edwards, attending, according to the Order of the House, was qualified, called in, and examined, relating to the Riot; and his Depositions being taken down, he withdrew.

Thomas Leech, by Order of the House, related what came within his Knowledge concerning the Outrage at the Election; and the same was committed to Writing.

Ordered, That *Jeremiah Warder* attend the House To-morrow Morning; and that he be notified accordingly; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

Jeremiah Warder attending, according to the Order of House, was qualified, called in, and examined; and his Deposition being taken, he withdrew.

The Committee to whom the Bill for the Relief of the Heirs, Devisees and Assigns of Persons born out of the King's Liegance, who have been, or may be, Owners of Lands within this Province, and die unnaturalized, was committed, reported the same to the House, with Amendments, and the same were approved of, and the Bill, with the Amendments, ordered to be ingrossed.

Edward Warner, *Israel Pemberton*, and *James Morris*, Members of this House, did, by Order of the House, relate what fell within their Knowledge, relating to the Riot at the Election; and the same being committed to Writing, was laid upon the Table.

The Petition of sundry Inhabitants of the City and County of *Philadelphia*, complaining of the great Riot which happened at the Election on the First of *October* instant, in the said County, and divers Examinations, taken thereupon, having been read, and maturely considered; and the House being fully satisfied the Facts complained of in the said Petition are true;

Resolved, That an humble Address be drawn up, and presented to the Governor, setting forth the material Facts which appear in Proof; that the House are clearly of Opinion there hath been a formed and premeditated Design of disturbing the publick Peace of this Province, terrifying the Inhabitants, and interrupting the Freedom of Election of Representatives in the said County of *Philadelphia;* that although some few of the Magistrates did exert themselves in a laudable Manner to suppress this Riot, divers of those principally concerned

in the Government of the City (as well as other Magistrates) are charged, by the Testimony of divers Witnesses, with being remiss and unactive. That so bold an Attempt hath a Tendency manifestly destructive of our Liberties, and subversive of our Constitution; that therefore, as a Matter in which all the Freemen of this Province are deeply interested, it requires the most diligent and careful Enquiry, to discover from whence it took its Rise, by whom it was carried into Execution, and who they are that aided, abetted, or countenanced the same, that the Offenders may receive exemplary Punishment, agreeable to their Demerits. That to these Ends the Governor be entreated to recommend it to the Judges of the Supreme Court, as an Affair of the greatest Importance, worthy their Notice, in which they have undoubted Authority, and ought to interpose and take Cognizance of in a Court of Oyer and Terminer, to be summoned for that Purpose.

Ordered, That *Thomas Leech*, *Oswald Peele*, *John Watson*, *John Owen*, and *Samuel Blunston*, be a Committee to prepare the said Address to be laid before the House,

Resolved, That a Bill be brought in and presented to the House for the better Suppressing of Riots for the future: and that *Israel Pemberton*, *Isaac Norris*, *Thomas Leech*, and *Joseph Trotter*, be a Committee for bringing in the said Bill.

Resolved, That it be an Instruction to the said Committee to insert a Clause therein, whereby Penalties may be inflicted on all Officers who fail in the Performance of their Duty in suppressing such Riots.

Resolved, That the Thanks of this House be given to *Thomas Lawrence*, Esq; for the Service done his King and Country in suppressing the said Riot; and that the same be signified to him by the Speaker.

Resolved, That the Thanks of this House be given to *Thomas Griffitts*, Esq; for the Service done his King and Country in suppressing the said Riot; and that the same be signified to him by the Speaker.

Resolved, That the Thanks of this House be given to *Samuel Preston*, Esq; for the Service done his King and Country in suppressing the said Riot; and that the same be signified to him by the Speaker.

Resolved, That the Thanks of this House be given to *Anthony Morris*, Esq; for the Service done his King and Country in suppressing the said Riot; and that the same be signified to him by the Speaker.

Resolved, That the Thanks of this House be given to *Ralph Asheton*, Esq; for the Service done his King and Country in

suppressing the said Riot; and that the same be signified to him by the Speaker, and then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met, according to their Adjournment.

The Committee appointed to prepare a Draught of an Address to the Governor, reported the same to the House, and it was read, and the farther Consideration thereof referred to To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The ingrossed Bill for the more easy and speedy Recovery of small Debts, was read the third Time.

Resolved, N. C. D. That the Bill do pass.

The ingrossed Bill for continuing and amending an Act of Assembly, intituled, *A Supplement to the Act for electing Members of Assembly*, was read the third Time.

Resolved, That the Bill do pass.

The ingrossed Bill for naturalizing such foreign Protestants as are settled, or shall settle, in this Province, who, not being of the People called *Quakers*, do conscientiously refuse the Taking of any Oath, was read the third Time;

Resolved, That the Bill do pass.

The ingrossed Bill, for the Relief of the Heirs, Devises and Assigns of Persons born out of the King's Liegance, who have been, or may be, Owners of Lands within this Province, and die unnaturalized, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That *Edward Warner*, and *James Gibbons*, carry up the Bills which have passed the House to the Governor, and desire his Concurrence to the same.

The Gentlemen return, and report, that they went to the Governor's House, where they were informed, that he is at *New-Castle*, and that it is not certain when he will return.

The Address was again read, and ordered to be transcribed, that it may be sent to the Governor; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Address to the Governor being transcribed, was read, and follows in these Words, *viz.*

To the Honourable GEORGE THOMAS Esq; Lieutenant-Governor of the Province of *Pennsylvania*, &c.

The humble ADDRESS of the Representatives of the Freemen of the said Province in GENERAL-ASSEMBLY MET.

May it please the GOVERNOR,

BY a Petition lately presented to us, from a great Number of the Freemen of the City and County of Philadelphia, *they complain of a very extraordinary Riot committed within the said City of the late Election. As it is an Affair which justly alarmed the Inhabitants of this Province, and was attended with very uncommon Circumstances, it engaged our Enquiry and Stay much longer than is usual at this Season of the Year: The Discoveries we have been able to make in the Course of this Enquiry, we apprehend it to be our Duty to lay before the Governor, as they appear to us from the Examination taken, which are to the Effect following.*

Early in the Morning, on the First of October *last past, being the Day appointed by our Charter, and the laws of the Province, for the Choice of Representatives, to serve in Assembly, a Number of Sailors, consisting of Thirty, or upwards, mostly Strangers, lately arrived at the Port of* Philadelphia, *prepar'd themselves with large Clubs, or Truncheons, and, armed with them, went about through divers Parts of the City, in a riotous and tumultuous manner, and particularly before the Mayor's Door, and in his Sight, without his taking the Care he ought to have done to disperse them. Divers Freemen, Inhabitants of the City, observing this, and fearing some Outrages was intended at the Election, and judging it unlawful for these Men to go about in the Manner before described, to the Terror of the King's good Subjects, addressed themselves to the Mayor and Recorder the same Morning, desiring them to take proper Measures for preserving the publick Peace, but did not receive such an Answer as might justly have been expected from Gentlemen in their Stations. Applications were likewise made to others of the City Magistrates, who promised to attend, and use their Endeavours to prevent any Disorders which might happen. About the tenth Hour, in the Forenoon of that Day, the Freemen and Inhabitants of the County being met, and the Sheriff attending, proceeded in a peaceable Manner to choose Inspectors; During which Time the Sailors, before mentioned, having joined themselves with others, also Strangers, making in all about Seventy, armed with Clubs, or other Weapons, which they flourished over their Heads, with loud Huzzas, and in a furious and tumultuous Manner, approached the Place of Election. Divers of the Magistrates present observing this, attended by some few of the Electors, went towards them, and let them know they had no Right to appear in that riotous Manner, endeavouring to presuade them to desist going further, or*

giving any Disturbance at the Election, in which, they being Strangers, and not Inhabitants, could have no Pretence of Right; and desired them to retreat peaceably. This the Sailors not only refused, but struck at the Magistrates, and others, with great Violence; the Constables interposing with their Staves, for some Time kept off the Rioters, but their attack was so furious, as to break the Constables Staves, who were then obliged to give Ground. In this Interval divers of the Inhabitants were knock'd down, and grievously wounded; and amongst them one of the Aldermen of the City, who, in all Likelihood, would have been barbarously murdered, had it not been prevented. The Sailors at length marched away in the same riotous Manner they came, and the Inhabitants being unwilling to be disappointed in their Election, and not expecting further Abuse, proceeded in the Choice of their Inspectors, which was performed in a very peaceable Manner; and soon after the Ballot for the Choice of Representatives was began, when on a sudden the same Sailors, in like furious and tumultuous Manner as aforesaid, made a second and unexpected Attack upon the Freemen of the Province, throwing Stones at them, and knocking down all they were able, without Regard to Age or Station. Many of the Inhabitants having before dispersed themselves to several Parts of the City, and those who remained being unarmed, and having nothing to defend themselves withal, were, in the Surprize, driven away by the Sailors some Distance from the Place of Election; but at length recovering themselves, and provoked by the repeated Abuses they had received, turned on their Assailants; who seeing this, soon fled before them; and being pursued by Directions from some of the Magistrates, upwards of Fifty of them were in a little Time apprehended, and carried to Prison, and the Freemen proceeded to finish the Election of their Representatives, which was done in a very peaceable Manner.

From many concurring Circumstances, which appear in the Examinations we have taken, we are fully satisfied this insolent Attempt must have been the Effect of some Contrivance preceding the Day of Election; and as it was committed chiefly by Strangers, lately come into the Province, who had not the least Pretence to intermeddle in our Elections, and without any Provocation whatsoever, it is reasonable to believe they must have been engaged in this wicked and dangerous Enterprize, by some who have had longer Residence amongst us.

In the Course of our Examinations it farther appears, that the Recorder, and divers other Magistrates, were present, and saw these Outrages committed, and were at the Time repeatedly requested to exert themselves in suppressing the Rioters, and told that Numbers of the Electors were ready and willing to assist to that End, if the Magistrates thought fit: But all Applications proved wholly ineffectual, they refused the least Interposition of their Authority, and remained unactive Spectators of the Abuses committed: Some of them behaving rather like Men that approved the Conduct of the Rioters, than otherwise. This, however, was not the Case of all the Magistrates: Some there were who exerted themselves laudably, and merit the Thanks of all Wellwishers to the Province, for the Services done their King and Country on that Day.

As this Attempt hath a Tendency manifestly destructive of our Liberties, and subversive of our Constitution, and the Freemen of the Province are deeply interested in the Consequences, it requires the most diligent and careful Enquiry, to discover from whence it took its Rise, by whom it was carried into Execution, and who they are that aided, abetted, or countenanced the same; that the Offenders may receive exemplary Punishment, agreeable to their Demerits.

For these Reasons, and these Ends, may it please the Governor to recommend it to the Judges of the Supreme Court, as an Affair of the greatest Importance, worthy of their Notice, in which, as they have an undoubted Right, they ought to interpose, and take Cognizance of in a Court of Oyer and Terminer, to be summoned for that Purpose.

And the Address being signed by the Speaker, by Order of the House,

Ordered, That *James Morris*, and *Oswald Peele*, wait upon the Governor with the same; then the House adjourned to Three a Clock To-morrow Afternoon.

The House met, *&c.*

The Gentlemen appointed to wait on the Governor with the Address of the House, report, that they delivered the same, according to Order, to the Governor, at *New-Castle;* and that the Governor was pleased to make the following Answer, *viz.*

GENTLEMEN,

'MY Attendance on the Business of this Government being of Course required at this Season of the Year, and it having been customary for the Assembly of the Province to adjourn

for that Reason, I could not apprehend that my Absence would have been any ways inconvenient to them; and I am sorry there was any Occasion given for the Enquiry mentioned in the Address you have delivered to me.

My Attention is at this Time engaged by several Bills, which the Assembly of this Government have laid before me; but as I hope to finish the Business of the Session here, so as to be at *Philadelphia* To-morrow, your House may be assured of such a Compliance with their Request as may be agreeable to Law, and the Right of the Subject.'

Then the House adjourned to Three a Clock To-morrow Afternoon.

The House met pursuant to their Adjournment.

A Petition from *Thomas Graven*, setting forth, that his Wife, by Reason of some Abuses she received from the *Indians*, just before they went out of Town, died in a few Days, and left the Petitioner with seven small Children, which he is unable to maintain; and therefore prays the House to take his Case into Consideration, and grant him such Relief as they shall see meet; was read, and *ordered to lie on the Table.* Then the House adjourned to Nine a Clock To-morrow Morning.

The House met, *&c.*

The House being informed that the Governor is now in Town.

Ordered, That *Edward Warner*, and *James Gibbons*, wait upon the Governor with the Bills that have passed the House, and Desire his Concurrence.

The Gentlemen return, and report, that they delivered the Bills to the Governor, according to Order; and that he was pleased to say, he would take the same into Consideration.

The Petition of *Thomas Craven* was again read, and considered.

Ordered, That *Joseph Trotter*, and *Abraham Chapman*, enquire into the Truth of the Facts contained in the said Petition, and report thereon to the House; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Gentlemen appointed to enquire into the Merits of the Petition of *Thomas Craven*, report, that they have made Enquiry, and do not find that the Woman's Death was occasioned by any Hurt she received from the *Indians.* And the said Petition was dismissed; then the House adjourned to Nine a Clock To-morrow Morning.

The House met, *&c.*

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'*By the Charter granted by the first Proprietary to the City of* Philadelphia, the Mayor Recorder and Aldermen, of the said City, are Justices of the Peace, and Justices of Oyer and Terminer, and are impowered to Act within the said City and Liberties thereof, as fully and amply as any Justice or Justices of the Peace or Oyer and Terminer can or may do within the said Province.

And they, or any four or more of them, have Power and Authority to hear and enquire into all and all Manner of Treason, Murders, Manslaughters, and all Manner of Felonies and other Crimes and Offences capital and criminal whatsoever, according to the Laws of this Province, and of the Kingdom of *England;* with Power also to *hear and determine all Petty Larcenies, Routs, Riots, and unlawful Assemblies,* and to *try and punish* all Persons that shall be convicted for Drunkenness, Swearing, Scolding, *breaking the Peace,* or such like Offences, which are by the Laws of this Province to be punished by Fine, Imprisonment, or Whipping, *&c.*

The Law likewise, by which the Supreme Court is established, has provided, *That nothing therein contained shall deprive or abridge the Mayor, Recorder, and Aldermen of the City of* Philadelphia, *of any Powers or Privileges, Jurisdictions or Franchises granted them by Charter, or the Laws of this Province.*

From hence it appears to me, that the Mayor's Court hath an uncontroulable Power, to proceed on the Trial of the Persons accused of the riotous Assault made on the Inhabitants at the late Election; and the Council (with whom I advised the next Morning after my Return from *New-Castle*) do unanimously concur with me in Opinion, that the Taking upon myself a Power to recommend or direct what Courts shall or shall not take Cognizance of this or any other Cause, may not only be of bad Example to succeeding Governors, but be of the most dangerous Consequence to the Liberties of the People: and I am perswaded, that when you have coolly re-considered the Matter, you will be of the same Opinion.'

November, 6, 1742. GEORGE THOMAS.

Resolved, That the Speaker be desired to lay before the House, at their next Sitting, his Opinion in Point of Law, as to the Jurisdiction of the Mayor's Court.

Ordered, That *Joseph Trotter*, and *Benjamin Field*, wait upon the Governor, and acquaint him, that the House are desirous of knowing what Progress he has made in the Bills sent up to him; that the House have sat much longer than is usual at this Season of the Year; yet if they may expect his Result in a little Time, the House is willing to wait for it; otherwise they are inclined to adjourn for some Time.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, he had had the Bills but a short Time, and his Council were most of them of the Mayor's Court, which is now sitting, and their Attendance there necessary; and that therefore he could give no determinate Anwer at what Time the House might expect his Result on the Bills.

Resolved, That this House will this Day adjourn to the Twentieth of next Month.

Ordered, That *Samuel Levis*, and *Thomas Linley*, wait upon the Governor, and acquaint him, that since the Governor is not yet prepar'd to give his Answer on the Bills now before him, the House is inclined to adjourn to the Twentieth of next Month, unless he hath any Thing to communicate to them, that may require their longer Stay.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, he had no Objection to the Adjournment proposed, but this, that the Time might interfere with the Holidays, which being observ'd by the Church as a Time of religious Worship, he could not then join with them in any Business; and for that Reason he should think the Beginning of *January* a more suitable Time.

And the House taking the Governor's Answer into Consideration, do, for the Reason he is pleased to give, agree unanimously to adjourn to the Third of the *Eleventh Month*.

Ordered, That *Samuel Levis*, and *Thomas Linley*, again wait upon the Governor, and acquaint him, that the House do agree to adjourn to the Third of the *Eleventh Month*, the Time by him proposed.

The Gentlemen return, and report, that they have acquainted the Governor with the Time of Adjournment, ac-

cording to Order; and that he was pleased to say, it was very well.

The House resuming the Consideration of the Petition from the Inhabitants of the City and County of *Philadelphia*, concerning the Riot at the late Election, and the Examinations taken thereupon; and it being moved, that divers and those Examinations contain a Charge against *Clement Plumsted*, Esq; late Mayor of the said City, for not having used his Endeavours to disperse the Rioters the Morning of the Election when they appeared before his Door, and in his Sight, armed with Clubs, and in a riotous Manner, altho' Application was made to him for that Purpose: And also contain Charges against *William Allen*, Esq; present Recorder, *Joseph Turner*, Esq; one of the Aldermen of the said City; *Abraham Taylor*, and *Septimus Robinson*, Esquires, Justices of the Peace for the said County, for standing by unactive Spectators of the said Riot, and using no Endeavours to suppress the same, altho' Application was made to them to that End: and that therefore it is reasonable they should have an Opportunity of being heard in Justification of their Conduct, if they shall think fit.

Resolved, That this House will at their next Sitting hear the Defence of the said Magistrates against the Charges aforesaid, if they shall desire it; and will also examine any Witnesses they shall think fit to produce in their Vindication. And it is

Ordered, That the Clerk of this House do forthwith serve them with Copies of the foregoing Resolve.

Resolved, That *Isaac Norris*, *Thomas Leech*, *Israel Pemberton*, and *Edward Warner*, be a Committee to prepare and bring in a Bill at the next Sitting of Assembly, for erecting a Corporation to have the Management of the *Province-Island*, *Negroes*, and Appurtenances, and such sick and impotent Persons as shall be placed there at any Time hereafter, subject nevertheless to such Rules and Orders as the Assemblies of this Province shall from Time to Time appoint.

Ordered, That the Superintendants of the Building of the State-house, proceed to finish and compleat the same with all convenient Expedition; then the House adjourned to the Third Day of the next *Eleventh Month*.

THE House met according to their Adjournment.

Ordered, That *Joseph Trotter*, and *Oswald Peele*, wait upon the Governor, and acquaint him, that the House met pursuant to their Adjournment; and that if he hath any Thing to lay

before them, they are ready to receive it; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Gentlemen appointed Yesternight to wait on the Governor with the Message of the House, report, that they delivered the same, according to Order; and that the Governor was pleased to say, he would send to the House what he had to lay before them.

A Petition from a considerable Number of *German* Protestants, setting forth, that being formerly Subjects to the Emperor of *Germany*, and other foreign Princes in Amity with the King of *Britain*, they had, by the Encouagement given by the late Proprietary, and in Hopes of enjoying the Privileges of *British* Subjects, transported themselves and estates into this Province: but being, tho' not *Quakers*, conscientiously scrupulous of taking any Oath, they cannot, as the Law now stands, be naturalized; and praying that a Law may be passed in their Favour on that Account; was read: —— And some of the Petitioners attending without, and desiring to be heard on their Petition, were called in, and heard accordingly: And being informed that the House had already sent up a general Bill to the Governor, in Favour of all in their Circumstances, they withdrew; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

A Bill for the better securing the Peace at the Elections of Representatives to serve in the General Assembly of this Province, was read the first Time, and ordered a second Reading; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Bill for the better securing the Peace at the Elections of Representatives to serve in the General Assembly of this Province, was read the second Time, and committed to the Gentlemen that brought in the same, for Amendments.

A Petition from *John Graham*, of *Chester* County, setting forth, That his Barn, by Accident, was burnt, and his Corn, *&c.* destroy'd; that having sold Rum without License, he has been twice fined for the same, and besides paying *Six Pounds* for Charges, he has been obliged to give Bond to the Collector of the Excise for *Sixteen Pounds;* that he has a Wife and five small Children, who depend on him for Support; and therefore praying the House would relieve him, *&c.* was read, and *ordered to lie on the Table.* Then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Speaker, according to a Resolve of the House of the Sixth of *November* last, laid before the House in Writing, his Opinion of the Jurisdiction of the Mayor's Court in the City of *Philadelphia*, which was read, and follows in these Words, *viz.*

'I have considered the Charter granted to the City of *Philadelphia*, and more particularly that Part of it by which the Mayor, Recorder and Aldermen, claim Power of holding Courts, and to hear and determine Riots, Routs, unlawful Assemblies, *&c.* and am clearly of Opinion, the Charter neither does nor could give them a Jurisdiction exempt from the Superintendency and Controul of the Supreme Court; and that the Justices of the Supream Court, and Quarter Sessions of the Peace, have a concurrent Jurisdiction with the Mayor's Court, within the Limits of the City.

If we look back and consider the first Constitution of this Government, and trace the several Alterations since made, and the Authority by which they were done, it will appear justly questionable, whether the late or present Proprietaries, or their Lieutenant Governors, could or can erect any Court of Judicature whatsoever within the Province, without an Act of Assembly to enable them so to do: And much less could or ought they to create a Jurisdiction exempt from the Superintendency of the Supreme Court of the Province, whose Powers are established by a Law made for the Purpose. By the first Frame of our Government,* and before any Provincial Council or Assembly were chosen, it was agreed our late Proprietary should name Judges, Justices of the Peace, and other Officers, who were to hold the same during their good Behaviour; and when any Vacancy happened, if such Vacancy were in the Supreme Court, the Provincial Council, who were to be chosen by the Freemen of the Province, were to recommend a double Number, and the Proprietary out of them to commissionate the proper Number of Persons to serve in the said Court; and if he failed so to do, the first named were to serve. When such Vacancy happened in inferior Offices, such as Justices of the Peace, Sheriffs, Coroners, *&c.* the Assembly were to recommend a double Number, and out of them the Proprietary was to grant Commissions in like Manner as aforesaid. The Establishment of Courts also appertained to this Provincial Council, which was to consist of Eighteen Persons, and the Proprietary, or

*Made *Anno* 1682. Art. 18.

his Lieutenants, were to preside there, and had no more than three Voices in it.

This Frame of Government, in the Year 1683, in some Particulars was altered, but the Method for nominating Judges, Justices, and other Officers, and the Establishing of Courts, was continued, agreeable to the first Constitution.

In the Year 1684, an Act of Assembly was made‡ which authorized the Governor to name Judges of the Supreme Court, and its Powers were established by the same Law. This Act, with some small Alterations, was, by other Laws,|| continued until the Year 1701.

In the Year 1701, an Act of Assembly passed, which authorized the Governor and his Lieutenants to name and commissionate Judges of the Supreme Court, Courts of Quarter-Sessions and Common Pleas, and the Powers of each of the said Courts were established by the same Act. The like Method for appointing Judges, and establishing of Courts, has been observed throughout the Province in all the Instances within my Knowledge (the Mayor's Court only excepted) since that Time: And if it be not the only Means, by which Courts can be lawfully established within the Province, it must be allowed the most usual, and least liable to Exception, of any other.

But, were it admitted the Proprietaries had, or have, Right to erect new Courts of Judicature; yet, I conceive, they neither could, nor can, give them Jurisdictions exempt from the Authority of the Supreme Court: For this would be, not only a Lessening the Powers of the Supreme Court, established by a Law of the Province, but consequentally abrogate a Part of that Law, which all must agree neither the Proprietaries nor their Lieutenant Governor have the Power to do.

The Powers granted to the Mayor's Court are necessary (in my Opinion) for the good Government of the City, and therefore, and altho' I do not think those Powers will be agreeable to the Generality of the Inhabitants until the Members of that Corporation be made elective by the Citizens; yet I am not for depriving them of any Jurisdiction they have Colour of Right to: But whenever they shall assume an 'UNCONTROULABLE POWER,' I think it ought ever to be opposed, as neither agreeable to the Intend of their Charter, nor necessary to the Purposes for which that Court

‡*Cap.* 158 ||*Anno* 1690, *Capt.* 195. *Anno* 1693, *Cap.*

was erected, and what would destroy that Subordination and Check which is requisite in the Government.

By our Constitution, and the Laws of the Province, the Supreme Court amongst us has all the Powers of the King's Bench, Common Pleas, and Exchequer, in *England;* and Serjeant *Hawkins*, in the 2d Vol. of his *Pleas of the Crown*, Page 7, Sect. 6. (referring to divers Books of the Law in Support of his Opinion) tells us, *That a Statute which appoints all Crimes of a certain Denomination shall be tried before certain Judges, doth not exclude the Jurisdiction of the King's Bench, without express negative Words. And in the same Book*, Page 286, Sect. 22 he adds that *It seems agreed at this Day, that regularly the Court of King's Bench having a general Superintendency over all other Courts of Criminal Jurisdiction, whether they be of an ancient or newly created Jurisdiction, may award a* Certiorari *as well as the Court of Chancery, to remove the Proceedings before any such Courts, unless the Statute or Charter which erects them expressly give an absolute Judicature exempt from such Superintendency.*

In *Salkeld's* Reports, 1st Part, 146, and Pl. 7. it is said, That where any new Jurisdiction is erected, be it by private or publick Act of Parliament, they are subject to the Inspection of the Court of King's Bench, by Writ of Error, *Certiorari*, or *Mandamus*.

The Case of *Groenvelt* and *Burwell*, reported in the same Book, 144, Pl. 3, and by *Carthew* in his Reports, 494, is to the same Purpose, where it is held, That no Court can be intended exempt from the Superintendency of the Court of King's Bench: And that it is a Consequence of every inferior Jurisdiction of Record, that their Proceedings are removeable into that Court, *&c.*

The same Point is again resolved in the Case of *Cross* and *Smith*, reported by *Salkeld* 143, and by *Farresly* in his Reports 138. And a Multitude of other Cases might be brought, were they necessary, to confirm the same Doctrine.

The Charter of the City of *London*, confirmed by divers Acts of Parliament, and the *Cinque-Ports*, by immemorial Usage, formerly claimed Jurisdictions exempt from the King's Bench; and that Indictments and Proceedings in any Cause, except Felony, should be tried and determined there, and not elsewhere; yet by the late Resolutions it is held, Writs of *Certiorari* lie, to remove any Indictments, taken before them, into the King's Bench.*

**Haw.* 286, 287, Sect. 24, 25, and 26.

Now though the Charter granted to the City of *Philadelphia* gives the Mayor's Court a Power of hearing and determining Riots, Routs, *&c.* yet there are no Words in the Charter that declare those Crimes shall not be heard and determined elsewhere: So that, by the Authorities foregoing, were there no Exceptions to be made to the Grant, yet the Supreme Court and Court of Quarter-Sessions have concurrent Jurisdictions with the Mayor's Court within the Limits of the City; and more especially since the Powers of the former are established by Acts of Assembly, which the latter is not.

The late Lord Chief Justice Hale, in his *Historia Placitorum Coronae*, Vol. 2, Page 47, says, *If the King, by Charter, grant to a Corporation, that the Mayor and Recorder shall be Justices of the Peace within the City, whereby they are Justices in Perpetuity by Charter; yet, if there be no Words of Exclusion, the Justices of the Peace of the County have a concurrent Jurisdiction with the Justices by Charter.*

It is true, that in the Act by which our Courts are now constituted, there is the Proviso the Governor in his last Message to the House is pleased to take Notice of; but whoever will be at the Pains of perusing the Act, must observe it militates nothing against the Opinion I have delivered: For the Act first begins with authorizing the Governor to commissionate a competent Number of Justices of the Peace in each County within this Province, any three of whom are by the said Acts authorized to hold General Quarter-Sessions of the Peace in each of the said Counties respectively; after follows the Proviso beforementioned, *viz. That nothing herein contained shall deprive or abridge the Mayor, Recorder and Aldermen, of the City of* Philadelphia, *of any Powers, Privileges, Jurisdictions or Franchises, granted them by Charter, or the Laws of the Province.*

Now as the Powers of the Supreme Court were not mentioned before this Proviso, but follow in a subsequent Part of the same Act, it must be evident the Proviso relates not to the Supreme Court, but to the Court of Quarter-Sessions for the County of *Philadelphia;* and even as to that Court can have no other Meaning than this, that altho' the Court of Quarter-Sessions of the Peace is by that Act authorized to hear and determine divers Offences arising in the County of *Philadelphia*, yet that this shall not abridge the Power of the Mayor's Court, but that the Mayor's Court may also hear and determine Offences within their Cognizance arising within the City, as well as the Quarter-Sessions of the

Peace. Were the Intent of the Act otherwise, it would no Doubt have been differently expressed, and would have restrained the Quarter Sessions of the County from hearing and determining Offences which arise in the City.

That this is no forced but a genuine Construction of the Act, will further appear by inspecting the Acts of Assembly for establishing Courts, next preceding that now in Force, which passed in the Year 1715. In this Year the Supreme Court was established by one Act, and the Courts of Quarter-Sessions by another. In the former, the Powers of the Supreme Court are as extensive as in the present Act, without any Provision whatsoever respecting the Mayor's Court: But in the Act which establishes the County Courts, there is a proviso in the same Words with those in the present Act; which proves, to a Demonstration, that the Proviso now in Debate related to the Quarter-Sessions of the County only, and not to the Supreme Court. Moreover, if we consider some Parts of the present Act which follow this Proviso, it will appear yet further evident, that it hath no Relation to the Supreme Court. The Justices of this Court are authorized when, and as Occasion requires, to issue forth Writs of *Habeas Corpus*, *Certiorari*, Writs of Error, and all other remedial Writs and Process returnable before them, and *to hear and determine all Causes*, &c. *cognizable before them*, &c. *and also all and all Manner of Pleas, Plaints, and Causes whatsoever, which shall be removed and brought there from the Quarter-Sessions of the Peace*, &c. *to be held for the respective Counties*, &c. *as also from the* City of *Philadelphia*, &c. *by Virtue of any the said Writs. Hence, by the* express Words of the Act, Writs of *Habeas Corpus*, *Certiorari*, and Writs of Error, are grantable to remove Causes from all inferior Courts in the Province, and particularly from the Quarter-Sessions held for the City of *Philadelphia*.

If it should be objected, That it is true these Writs are grantable at the Suit of a Defendant, but not otherwise; I answer, It is a Rule, that where the Law makes no Distinction, no Distinction ought to be made. And that Law would be very unequal which provides for Defendants only, and did not make like Provision for the Plaintiffs. And I look upon the Law to be clear, that tho' Indictments are properly the King's Suits only, yet as they are frequently prosecuted in his Name by others, that, on Application to the Attorney-General, they may be removed to the Supreme Court at the Instance of the Prosecutor; and therefore with much stronger Reason are removeable at the Instance of the Crown. *Haw-*

kins, in his Treatise before referred to 2d *Vol.* 287, *Sect.* 27, says, That the Judges have a discretionary Power, whether to grant Writs of *Certiorari* at the Request of a Defendant or not, but at the Instance of the King, the Court are bound of Right to award it; and the Reason assign'd is, '*because every Indictment is the Suit of the King, and he has a Prerogative of suing in what Court he pleases.*' 'If this be, as no Doubt it is, Law, and our Governor be, as without Question he is, the King's Representative within this Province, and has Right in Direction of the executive Powers of Government, I cannot be of Opinion, 'that the Governor's taking upon himself to recommend or direct what Courts shall or shall not take Cognizance of Causes,' may either be of 'bad Example,' or of 'dangerous Consequence to the Liberties of the People:' On the contrary, it appears to me a Power essential to the Constitution; and tho' it were possible it might in some Cases be exercised to bad Purposes, it does not follow it ought not to be exercised at all. May not our Governors, by our Constitution, whenever they think fit, grant *Noli Prosequi's* for putting an entire Stop to Suits of the Crown? Even after Conviction, have they not Power to remit Fines, and pardon all Offences under the Degrees of Treason and Murder, and in those to reprieve until the King's Pleasure be known? Are not these Prerogatives of the Crown absolutely necessary in every Government, and yet of a much higher Nature than meerly to the Attorney-General, in what Court to prosecute? A Power which that Officer may exercise according to his own Discretion, where he is under no such Directions from his Superiors. And may not the Power of granting *Noli Prosequi's*, and pardoning Criminals, be exercised with much greater Danger to Society, than meerly to direct in what Court a Suit shall be brought? In the former Case a Suit, perhaps necessary for the Publick Good, may be intirely stayed; a Criminal that ought not to go unpunished, be pardoned: In the latter, the Law is the Standard, and ought to govern in whatsoever Court the Cause is determined; and the Security against arbitary Power is also the same in all Courts, *viz.* The Right of being tried by our Peers; a Law which *Britains* with great Reason value themselves upon.

But supposeing it possible that some Inconveniencies might attend a Governor's Exercise of this Power, is there no Difference between such Directions as a Governor of his own meer Motion might think fit to give such Regard to prosecutions at the Suit of the Crown, and such as he should give on

Application made to him from the Representatives of the Freemen of the whole Province? It is well known that Prosecutions are sometimes applied for from both Houses of Parliament, and they are seldom denied: In these Prosecutions both the Court in which, and the Manner how, they are to be carried on, must necessarily be under the Directions of the Crown; and, I conceive, the same Power of Direction is absolutely necessary in this Province. It is not possible that the Justices of an Inferior Court, either by an evident Neglect of their Duty, by pre-judging a Cause, or otherwise, may so misbehave, as to render it demonstrable no indifferent Trial can be had before them; and shall there be no Remedy, no Power capable of directing a Trial in the Supreme Court? If it be said, these Inconveniences may be remedied by removing the Cause after Trial; I answer, Nay: In many Cases it would be too late. Besides, who would care to become Prosecutors, that have not any particular Interest in the Affairs, when the Task would be difficult, and whoever undertakes it, must render themselves obnoxious to Men in Power? Whereas, by a Removal of the Cause to a Superior Court in a proper Time and Manner, these Inconveniencies might be avoided, without any ill Consequences attending. For these Reasons I am clearly of Opinion, that the Governor may, when Occasion requires, recommend any great Disorder, which shall happen in the Province, to the Consideration of the Judges of the Supreme Court, and require their Care and Inspection therein; that he may direct the Attorney-General to remove Causes into that Court, whenever publick Justice shall require it; and that this Power is so far from being dangerous, that it is necessary and essential to the Constitution; and without which there might, in some Cases, be a Failure of Justice. The Arguments in Support of this Opinion, I have communicated to you; and as those are more or less forcible, I make no Question they will have a proportionable Weight with you, to whom I submit the Correction of any Mistakes whereof I may have been inadvertently guilty.'

The Clerk reported, that in Obedience to the Order of the House at their last Sitting, he had served the several Magistrates of the City and County of *Philadelphia*, mentioned in the said Order, with Copies of the Resolve of the House, soon after the House adjourned; and then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Petition of *John Graham* was again read; and it appearing by the Petition itself, that he had twice offended against the same Law; it was rejected; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House being informed, that several of the Magistrates who had been served with the Resolve of the House at the last Sitting, attended without, having something to offer to the House, they were called in, and delivered two Remonstrances, and then withdrew.

And the said Remonstrances being read, follow in these Words, *viz.*

To the Honourable the HOUSE OF REPRESENTATIVES *of the Province of* Pennsylvania,

The REMONSTRANCE of Clement Plumsted, *late Mayor of the City of Philadelphia,* William Allen *Recorder of the said City, and* Joseph Turner, *one of the Aldermen of the same City.*

SHEWETH.

THAT according to the Order of the House, we have received a Copy of your Resolve, of the Sixth of *November* last, whereby it seems we are permitted to make a Defence against some Examinations taken *ex Parte* before you, concerning our Conduct in the Time of the late Riot in this City.

Hereupon we beg Leave to acquaint the House, that by Order of the Governor and Council, made at the Instance of your Remonstrant, *Clement Plumsted*, who is a Member of that Board, we obtained a Copy of your Address to the Governor, dated the Second Day of *November*, which appears to be founded on those Examinations; and, with inexpressible Concern, behold that Address blasting our Reputations in the most sensible and tender Parts; endeavouring to divest us of the Powers held under the City Charter, and striking at the fundamental Rights of the whole Corporation through our Sides. Reputation is the most delicate and valuable Enjoyment of Life, easy to be injured, difficult to be repaired, therefore nothing is held more sacred amongst Men of Candour and Humanity, than the Characters of their Neighbours: Whether the House observed this excellent Rule, when they, in the most publick Manner, charged us with Crimes we are innocent of and detest, upon Examinations taken without our Knowledge, and hitherto concealed from us; we submit to the House, and all Men of Impartiality

and Justice, to determine. By the Laws and Statutes of the Realm of *England*, extended to this Province by the Royal Charter, no Man is to be disseized of his Right, Franchises or Liberties, but upon a fair Trial by the lawful Judgment of his Peers, and the Laws of the Land. By which it is evidently meant, that he shall first have his Accusers Face to Face, and his Defence fairly and indifferently received and considered; yet, we apprehend, we have the highest Reason to complain, that the Persons, who, above all others, ought to be the Guardians and Preservers of those inestimable Laws, have, in this Instance, tried, condemned, and sentenced us to lose our Rights, Liberties and Franchises, as far as their Powers extended, without our knowing either the Accusations or Accusers, or suffering us to say one Syllable in Defence of ourselves. Of these Injuries, having publickly and justly complained, the House, on the last Day of their Sessions, but not before, thought it reasonable we should have an Opportunity of being heard before them, in Justification of our Conduct, if we thought fit. But can the House imagine that we are so insensible of the common Rights of Mankind, and so regardless of our own Characters, as to submit to the Judgment of those who have already condemned us? Can we reasonably expect that they who have censured us unheard, should now declare we are innocent? Or ought we not rather to apprehend, that the same Spirit which prevailed on the House to pass the severest Sentence the Law could inflict on us for higher Offences than we are charged with, should make them act as Parties to support their own Judgment?

It is impossible for us to know what the Examinations before you charge us with; but if they import the Matters inserted in your Address to the Governor, we aver they are false and scandalous; for the Behaviour of your Remonstrants on the Day of the Election was as follows:

In the Morning, a short Time before the Election began, *Anthony Morris*, Junior, with some others, came to the House of your Remonstrant, *Clement Plumsted*, and told him, about a Hundred Sailors, armed with Clubs, were on *Andrew Hamilton's* Wharff, who, they supposed, intended some Mischief. Soon after a Number of Sailors, in Appearance between Thirty and Forty, without Sticks, passed by in a quiet and peaceable Manner: But considering they might increase their Number, and commit some Disorders, he drew up and signed a Paper, in the Form of a Proclamation, requiring all Persons at their Peril to keep the Peace, and

not to molest or disturb the Freemen of the City and County in their Elections, upon Pain of being prosecuted and severely punished as the Law directs: Which he sent up to the Sheriff to be published, and, as he is informed, it was publickly read by him befofe any Tumult happended. Not long after, the Sailors came down the Street by his House, most of them armed with Clubs, and shouting, to the great Surprize of himself, and many of his Neighbours. Upon this we went to them alone. No Person appearing to give him any Assistance, and demanded of them why they appeared in that tumultuous Manner; represented to them how dangerous it was, and told them, if they broke the Peace, or disturbed the Election, they would be most severely punished; and therefore desired and ordered them to go on board their Ships about their Business; adding, that as they were brave *English* Sailors, he hoped they would take his Advice, and not give their Countrymen any Disturbance. They answered, they were only taking a Walk, and would disturb no Body; and giving three Shouts, went, as he thought, down to their Vessels. But in some Time afterwards, as he understands, they went up to the Court-house, and committed the Outrages complained of. What more could be expected from him, who is an antient Man, afflicted with a Distempter that scares suffers him to walk, by which he was confined to his House the greatest Part of that Day, he is at a Loss to know.

About Nine a Clock in the Morning, *Israel Pemberton*, *Joseph Wharton*, and some others, came to the House of your Remonstrant, *William Allen*, and complained that a Number of Sailors were assembling themselves together on board the Ships in the lower Part of the Town, from whence they apprehended some Disturbances and Mischief; and therefore requested that who would endeavour to prevent them. To this he answered, he was quite a Stranger to their Designs, and was apt to think they were misinformed, for he was well assured they could have no Countenance from any of his Friends, they having agreed at sundry Meetings, to be very careful that no Quarrel should arise on their Side. Whilst he was speaking, one of the Company told him they were coming up the Street; and immediately he perceived an unusual Number of Sailors walking towards them. Upon this, accompanied by Alderman *Lawrence*, he left his own Door, and went forward to meet them, and ask'd them what was the Meaning of their being met together in such a Number? (there appearing to him to be about Thirty) and at the same Time

let them know, that Day the Inhabitants of the City and County were to choose their Representatives, and if they came near the Place of Election, with Intent to stir up any Quarrels, or do Mischief, they might depend on having the Laws strictly put in Execution against them: And to this Effect they were repeatedly spoke to by Mr. *Lawrence*, and himself. They gave us for Answer, that they had nothing to do with the Election; that they would hurt neither Man, Woman nor Child; but having a Holiday given them, by their Captain, they were going out of Town to take their Diversion, and would offend no Body. With this Answer, they not having Clubs, and appearing perfectly sober, we were satisfied, as the Persons who complained, and were present at that Time, seemed to be. Soon after your Remonstrant went up to the Court-house, and there delivered to the Sheriff a Proclamation from the Mayor, to be published by him, requiring all Persons to keep the Peace; which was published accordingly. And then he went above *Evan Morgan's* Corner, in *Second-Street*, where he continued, surrounded by a vast Number of People, until the Inspectors were chosen. The Crowd about him was so great, that he neither say nor heard any Disorders committed by the Sailors, till *James Morris* came up to him, with a haughty menacing Air, and told him it was his Duty, as a Magistrate, to come and suppress a Company of Sailors, who had been abusing and beating several People. To which he made Answer, with some Degree of Contempt, that if he was to do it, he must have Some-body to help him, and therefore commanded him, in the King's Name, to assist him; but as he did not esteem himself intirely under Mr. *Morris's* Direction, he took no further Notice of him. Suddenly after, he went round the Corner to see that was the Cause of his great Wrath, and there perceived a Commotion among the People, and a Scuffling between Mr. *Charles Willing* and a Servant of one *Joseph Gray;* Mr. *Willing* alledging the Servant had kicked him. He then saw no Sailors, but was told that a Number of them had been at the lower End of the *Jersey-Market*, and had knocked down several Persons, particularly Alderman *Morris;* and with Difficulty had been perswaded to retire. In a short Time after, he saw a Company of Sailors coming towards the Court-house, huzzaing and flourishing their Clubs, who immediately flung Brick-bats among the People, and with their Clubs knocked some of them down. Upon this he called out to the Persons near him to follow him, and he would head them to suppress those Fellows. After frequently repeating these Words, and the

People appearing unwilling to engage Men armed with Clubs, he acquainted them with a loud Voice, that if they would go down to his House, he would supply them with Arms, in order to apprehend the Rioters; but no Person inclining to follow him, he declared he would go amongst them alone; which occasioned several of the By-standers to lay hold of him, and advise him against it, saying, that he would have his Brains knock'd out. Notwithstanding which, he broke from the Persons who held him, and singly went among the Sailors, and told them they were a Parcel of Villains, and ask'd them how they dare act in such a Manner? One of them speaking to the rest in the Sailor-language, to give him a Huzza; he told them he wanted none of their Huzzas, but abhorred them and their Practices, and bid them depart from the Place immediately.

Your Remonstrant, *Joseph Turner*, is extremely surprized at the Injustice of the Persons who informed the House, that Application was made to him to suppress the Rioters; for he asserts no Man ever spoke to him to that Purpose. But if such Application had been made, he had very little Encouragement to use the Authority of a Magistrate, from the unexpected Treatment he received, in attempting to prevent an Affray that happened early in the Morning; which he really believes, in a great Measure, occasioned the ensuing Disorders of the Day. About Eight a Clock, your Remonstrant, through his Window, saw *Israel Pemberton*, one of the Members of the House, and several others, furiously pursuing Captain *Mitchell*. He immediately crossed the Street, and went up to *Mitchell*, who by that Time had got Stones in each Hand, and was threating with uncommon Asseverations, to throw them at Mr. *Pemberton*, and the other Persons, if they pursued him in that Manner. Fearing some Mischief, your Remonstrance closed in with *Mitchell*, praying him to lay aside the Stones; and immediately the said *Israel Pemberton* violently seized your Remonstrant by the Collar; upon which a Scuffle ensued between them. After this was over, your Remonstrant civilly ask'd what *Mitchell* had done to provoke them to follow him through the Streets; to which he was answered by an insolent young Man, the Son of the said Mr. *Pemberton*, that if your Remontrant made any Disturbance, they would commit him to the Work-house: Such Behaviour from Men of their Profession, he thinks very extraordinary. But from hence the House may see, that when Magistrates are complained of, for not exerting themselves, their Power is magnified to the highest; yet at other Times they may be affronted, abused,

and their Authority trampled on with Impunity, just as it suits the Dispositions, and answers the Ends of particular Persons.

All these Matters we are able to prove in the clearest Manner, by Persons of unquestioned Veracity and Credit, which we may have an Opportunity hereafter of doing openly, and in the Hearing of every Person that desires to be present.

As the Case of your Remonstrant, *William Allen*, differs, in a very remarkable Circumstance, from that of the other Gentlemen concerned, he begs Leave to represent, 'That, before the first Meeting of the Assembly, he brought an Action against the Son of a considerable Member of the House, for speaking scandalous Words of him relating to the Riot; for whom your Speaker was engaged as an Attorney, and as such has since appeared for him in Court. This Course he presumes was reasonable, and necessary to shew his Innocence, which he earnestly desires may be strictly examined in the justest Method known, a fair Trial by his Country. But he charitably hopes, the Majority of the House were not informed of these Proceedings, or they would never have attempted to destroy the Equality that ought to subsist in all legal Determinations, by publishing the Tenor of secret Examinations, perhaps of the Offender himself, or of others who appeared, at his Instigation, to stain, the Character of your Remonstrant, in the very Point in Question; nor have required him to submit the Merit of his Cause to the Judgment of the Father, or Attorney of his Adversary, however dignified by Power or Station.

Few greater Calamities can befal a Country than Heats and Divisions amongst the People, but particularly unfortunate are they whose Actions come to be scann'd in so tempestuous a Season, when a Man free from the Contagion of a Party is scarce to be found, and the Temptation of subduing Opponents, to strengthen the Hands of those in Power, hard to be resisted. However, as we are not conscious of any Transgression, we fear no Reproach; and we doubt not, whatever Steps have been, or may be taken, to misrepresent us, we shall be able to vindicate our Innocence, and shew the Injustice of the Charges made against us.'

CLEMENT PLUMSTED,
WILLIAM ALLEN,
JOSEPH TURNER.

To the Honourable the HOUSE OF REPRESENTATIVES *of the Province of* Pennsylvania,

The REMONSTRANCE *of* Abraham Taylor, *and* Septimus Robinson, *two of the Justices of the Peace for the County of* Philadelphia.

SHEWETH,

'THAT we have been serv'd with a Copy of your Resolve, made last Session, to hear our Defence against some Examinations taken before you, which charge us with being unactive Spectators of the late Riot within this City, and using no Endeavours to suppress the same, altho' Application was made to us to that End.

From what the House have been pleased to discover of the Contents of those Examinations, we are not able to comprehend wherein our Crime consists; for if we are charged as private Persons, then are we not more culpable than several Members of the House, and a Multitude of others, who were present, and as unactively saw the Riot as your Remonstrants, without using any Endeavours to suppress it: But if we are accused of Misbehaviour in our publick Capacities, we apprehend (under Favour) those who accused us, have proceeded upon a great Mistake, in imagining that we, as Justices of the Peace for the County, have the Power of Magistrates within the City of *Philadelphia.*

The City Charter vests the Mayor, Recorder, and Aldermen, with Authority to take Cognizance of all Offences, beneath Capital, committed within the City; and therefore, since we have had the Honour to be in the Commission of the Peace, we have never, in a single Instance, presumed to exercise any Jurisdiction in criminal Cases there. Constant and uninterrupted Usage, from the Time of granting the Charter, hitherto has established and confined this Power to the City Magistrates; and we beg Leave to say, except in the present Instance, the Contrary was never contended for.

We cannot help remarking here, that the Persons who complained to the House, have betray'd a manifest Partiality in not representing the passive Behaviour of others, to whom it more properly belonged to interpose their Authority to suppress the Rioters than to us: For your Remonstrant, *Abraham Taylor,* well remembers, that in the Time of the Disturbance, *Isaac Norris,* Esq; a Member of the House, and an Aldermen of the City, applied to him to use his Endeavours to disperse the Rioters; to which your Remonstrant answer'd, he would Chearfully assist to the utmost of his Power, if the said

Aldermen or any others would join him: But, to his great Surprize, Mr. *Morris* remain'd as unconcerned, and, as far as your Remonstrant could discern, as unactive a Spectator of the Riot, and used as few Endeavours to quell the same as any Person present; yet, by a Fatality too frequent in popular Controversies, he is like to be excused for not exerting his Authority, and we are censured for not assuming a Power the Law has not given us.

Your Remonstrant, *Abraham Taylor*, asserts, he was not an unactive Spectator of the Riot, for in endeavouring to defend and rescue a Constable that appeared to be in Danger, he receiv'd a violent Blow on his Arm, had his Cane struck out of his Hand, and his Foot so bruised, that he was obliged to retire. But he makes this no Part of his Defence as a Magistrate, for he cannot conceive he had any Right as such to interpose, but solely to shew the Falsity of the Charge against him.

Your Remonstrant, *Septimus Robinson*, coming from his House to the Court-house, saw a Number of Sailors going from thence up *Second-Street* in a peaceable Manner, without any Sticks that he observed. When he came near *Thomas Campbell's* Corner, *Edward Warner*, and many others, spoke to him, and said, as he was a Magistrate, he should suppress those Sailors, from whom they expected some Mischief: To which he replied, if they apprehend any Disturbance from them, they ought to apply to the Mayor, or some Aldermen of the City, for he was not authorized to intermeddle in Offences within the City Limits.

Altho' your Remonstrants are persuaded it is an easy Matter to justify their Conduct, in the Sight of all unprejudiced Men; yet they apprehend it would be an unpardonable Weakness in them, either to submit to answer Examinations taken in so private a Manner, that they know not who their Accusers are, or what they have declared against them; or to enter into a formal Trial of their Innocence before those, who, upon such Kind of Evidence, have condemned them unheard.

Nothing but Malice and Party-Rage could have excited so groundless a Complaint against your Remonstrants, which, they doubt not, upon due Consideration of the Premises, will evidently appear to the House.'

ABRAHAM TAYLOR,
SEPTIMUS ROBINSON.

Then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

A Petition from sundry Inhabitants of the County of *Chester*, setting forth, that they lay under several Hardships by Reason of the Act to prevent the Importation of Flour not merchantable; and praying that the *Shilling per* Cask Penalty on condemned Flour, may be taken off, the Officer changed, and annually appointed, and several other Amendments made in the Act; was presented to the House, and read, and *ordered to lie on the Table.*

Five other Petitions of the same Import, from *Chester* and *Lancaster Counties*, were also presented to the House, and read; and another praying the Repeal of the whole Act. *Ordered to lie on the Table.*

A Petition from sundry Inhabitants of the County of *Chester*, praying that some better Provision may be made relating to Estrays; was read, and *ordered to lie on the Table.*

A Petition from *Martin Reardon*, of *Chester* County, praying an Allowance for a Servant supposed to be carried away on the Expedition; was read, and *ordered to lie on the Table;* then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

Ordered, That *Samuel Levis*, and *John Owen*, wait upon the Governor, and desire that he would please to inform the House what Progress he has made in the Bills that have now lain some Time before him.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, he would send a Message to the House To-morrow Morning.

Application being made to the House in Behalf of several Masters of Servants that have been enlisted and carried away among the Recruits to the *West-Indies*, the Consideration thereof was referred to the Committee of Grievances, who are to report thereon to the House; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor by his Secretary sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'IT is now more than two Years since any Provision has been made by the Assemblies of the Province for the Support of Government, tho' my publick Character has been maintained partly at the Expence of my private Fortune. As I am not conscious of the least Failure in my Duty to his Majesty,

or to the Honourable the Proprietaries, and shall be at all Times willing to give the amplest Proofs of my Regard for the Peace and Prosperity of the People you represent; I promise myself, that you, on your Parts, will act so as to deserve the Name, which the Hopes of all good Men have designed you, of the Healing Assembly.'

January 8, 1742-3. GEORGE THOMAS.

Then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met, according to their Adjournment.

The Governor's Message was again read, and the Consideration thereof adjourned to To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor's Message was againd read, and considered;

Ordered, That *Thomas Leech*, *Isaac Norris*, *John Hall*, *Thomas Chandler*, and *Samuel Blunston*, be a Committee to prepare a Draught of an Answer to the same, to be laid before the House; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House; and it was read, and approved, and follows in these Words, *viz.*

May it please the GOVERNOR,

AS we are sincerly disposed to cultivate a good Understanding with our Governor, and have the Interest of our Constituents much at Heart, the Declaration he is pleased to make, that he 'shall be at all Times willing to give the amplest Proofs of his Regard for the Peace and Prosperity of the People we represent,' *is very acceptable to us, and encourages us to hope that the Bills which now lie before him, and such others as shall be thought necessary for the Publick Good, will not fail of his ready Concurrence. And we on our Part do assure the Governor, that we are of the Opinion that Government should be honourably maintain'd; and whenever he shall be pleased to give his Assent to whose Bills, we shall chearfully make such Provision for his Support as may demonstrate our Sincerity, and the Desires we have of becoming* 'the Healing Assembly.'

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Mark Watson*, and *James Gibbons*, wait upon the Governor, and deliver the same.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message, according to Order; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor, by his Secretary, sent down the Bill for naturalizing such foreign Protestants as are settled, or shall settle, in this Province, who, not being of the People called *Quakers*, do conscientiously refuse the Taking of any Oath, with a written Message, to the House, which was read by Order, and follows in these Words, *viz.*

GENTLEMEN,

'AS the Bill, intituled, *An Act for the Relief of the Heirs, Devisees and Assigns, of Persons born out of the King's Liegance*, &c. seems to me to affect the Rights of the Honourable the Proprietaries, I think myself obliged, in Duty and Justice, to make them acquainted with it, and shall therefore decline any Observations of my own upon it, until I receive theirs. Since they have not taken any Advantage hitherto of the Heirs of such Foreigners as have, *bona Fide*, purchased and paid for Lands, and have died unnaturalized, future Severities are the less to be apprehended from them.

Upon a Review of the King's Attorney and Sollicitor-General's Report on a supplementary Act, prescribing the Forms of Declaration of Fidelity, *&c.* passed since my Coming to the Government, and his Majesty's Disallowance of it, I am of Opinion, that a Naturalization Bill, in the Method usual here, or a Bill with a particular Designation of all the religious Societies of Foreigners that conscientiously refuse the taking any Oath, will be more likely to receive the Royal Approbation, than the Bill now before me, as either of them will be less dangerous to Society in general, and be more conformable to the *British* Acts of Parliament.

January 12, 1742-3. GEORGE THOMAS.

The Petition from *Chester* County, relating to Estrays, was again read, and considered.

Ordered, That *Owen Evans*, *Edward Warner*, *Abraham Chapman*, *James Gibbons*, and *Samuel Blunston*, be a Committee to prepare and bring in a supplementary Bill to the Act for erecting and maintaining of Pounds; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

Another Petition from sundry Inhabitants of *Chester* County, praying Amendments in the Flour Act; was presented to the House, and read, and *ordered to lie on the Table.*

The Bill for naturalizing such foreign Protestants as are settled, or shall settle, in this Province, who, not being of the People called *Quakers*, do conscientiously refuse the Taking of an Oath, was read, and the Amendments proposed by the Governor considered, and the further Consideration thereof adjourned to To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The House resuming the Consideration of the Bill, intituled, *An Act for naturalizing such foreign Protestants as are settled, or shall settle, in this Province, who not being of the People called* Quakers, *do conscientiously refuse the Taking of an Oath*, and the Amendment proposed to the same;

Resolved, That *Owen Evans* and *Samuel Levis* wait upon the Governor with the said Bill, and acquaint him, that as the Indulgence granted by the Act for Advancement of Justice (approved of in *England*) to those who conscientiously scruple an Oath, is general, the House are of Opinion, that the Bill, in the Terms it is now conceived, will best answer the Purposes intended; and therefore they hope the Governor will give his Assent to the Bill as it is now formed; nevertheless, that if the Governor shall persist in his Sentiments that the Names of the several religious Societies ought to be inserted, rather than the Bill should miscarry, the House are willing to agree to the Amendment proposed: It is also

Ordered, That the same Members acquaint the Governor, that the House are desirous of being informed what Progress is made in the other Bills which lie before him; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they delivered the same, according to Order; and that the Governor was pleased to say, the Bills were under his Consideration, and that he would sent to the House his Sentiments upon them; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

A Message from the Governor by his Secretary, *viz.*

Mr. Speaker,

"The Governor commands me to acquaint the House, that the Act for the Advancement of Justice had been under his

Consideration before he proposed the Amendment to the Bill for naturalizing foreign Protestants, *&c.* and he had observed that the Indulgence is general; yet he was and is of Opinion, that the Inserting the Names of the religious Societies of Foreigners, will render the Bill less liable to Objection in *England*, as it will be more conformable to the *British* Acts of Parliament: Should the House, however, continue to think otherwise, he is willing to wave the Amendment, rather than the Bill should be postponed for such a Length of Time as it may require to inform himself of the several Religious Societies of Foreigners that conscientiously refuse to take an Oath."

Resolved, N. C. D. That the House adhere to the Bill.

The Report of the Managers of the State-house on the Account of *Samuel Hall*, that they have examined the same, and find *Twenty Pounds*, *Eight Shillings*, and *Eight-pence*, due to him, was read; and

Resolved, That an Order issue on the Treasurer, signed by the Speaker, for Payment of the said Account; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

Ordered, That *Thomas Leech*, and *Edward Warner*, wait upon the Governor, and acquaint him, that the House have long waited for his Result on the Bills that lie before him, and desire to know when they may expect it.

The Gentlemen return, and report, That they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, he had had the Bills some Time under Consideration, and waited the Result of the House.

A Motion being made, that the Governor's Support be now taken into Consideration, the House resolved itself into a Committee of the whole House thereupon; and, after some Time spent therein, the Speaker resumed the Chair: And *John Wright*, Chairman of the grand Committee, reported, that the Committee has made some Progress in the Matters referred to them, and desired Leave to sit again; to which the House agreed; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

A Message from the Governor by his Secretary, *viz.*

Mr. Speaker,

"The Governor commands me to acquaint you, that as he has received Assurances of a good Disposition in the House, he thinks it incumbent on him to show the like on his Part;

and therefore sends down the Bills which lay before him without any Amendments."

And then delivering the Bill for the more easy and speedy Recovery of small Debts, and the Bill for continuing and amending an Act of Assembly, intituled, *A Supplement to the Act for electing Members of Assembly*, &c. the Secretary withdrew; then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met, and adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

A Bill for vesting the Province-Island, and the Buildings thereon erected, and to be erected, in Trustees, for providing an Hospital for such sick Passengers as shall be imported into this Province, and to prevent the Spreading of infectious Distempers; was read the first Time, and ordered a second Reading.

A Bill imposing a Duty on Persons convicted of heinous Crimes, brought into this Province, and not warranted by the Laws of *Great-Britain*, and to prevent poor and impotent Persons being imported into the same; was read the first Time, and ordered a second Reading; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

A Bill for the more easy and speedy Recovery of Legacies with this Province, was read the first Time, and ordered a second Reading; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Bill for vesting the Province-Island in Trustees, *&c.* was read the second Time; and a Debate arising thereupon, the same was adjourned to the Afternoon.

A Petition from *John Webbe*, setting forth, That he hath bent his Thoughts to investigate into the Nature of Paper-Money, and hopes he has shewn it is not without a rational Foundation, tho' the Contrary has been asserted; and that the Faults it has been accompanied with, have not proceeded from the least Defect in the true Basis, but from a Misapprehension or Neglect of it, and consequently may be avoided for the future, as he thinks will appear on Perusual of the printed Piece annexed to the Petition; wherein is described a Method founded on Equity and the Nature of Money, whereby the Paper Currency (as the Petitioner conceives) may be easily and always augmented to the Degree required by Trade, without lessening the value of it; which will render

it equally advantageous to the Subjects at Home and Abroad, *&c.* And the Petitioner presuming, with the utmost Submission, that he has demonstrated what he alleged to have performed by him, prays that the House would take the Premises into Consideration: was presented to the House, and read, *Ordered to lie on the Table.*

An Account from *Gustavus Hesselius*, for Painting done at the State-house, by Order of the late Superintendant, settled by his Executor, and examined by the present Superintendants; was laid before the House; and the Ballance, *Thirty-one Pounds, Eighteen Shillings*, and *Four-pence*, being allowed, an Order issued under the Hand of the Speaker for the Payment of the same: and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House resumed the Consideration of the Bill for vesting the Province-Island, and the Buildings thereupon erected, in Trustees, for providing an Hospital for such sick Passengers as shall be imported into this Province, and to prevent the Spreading of infectious Distempters; and, after some Debate, it was ordered to be ingrossed.

The Bill imposing a Duty on Persons convicted of heinous Crimes, brought into this Province, and not warranted by the Laws of *Great-Britain*, and to prevent poor and impotent Persons being imported into the same, was read a second Time; and a Debate arising thereon, the same was adjourned to To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The House resumed the Debate on the Bill imposing a Duty on Persons convicted of heinous Crimes, *&c.* and, after some Time spent therein, it was adjourned to the Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House resumed the Debate on the Bill imposing a Duty on Persons convicted of heinous Crimes, *&c.* and the Question being put, that the Bill be committed? *It passed in Negative.*

A Petition from *Joseph Pritchard*, of the City of *Philadelphia*, praying to be appointed the Officer for executing the Act imposing a Duty on Persons convicted of heinous Crimes, *&c.* now under the Consideration of the House, was presented to the House, and read.

Resolved, That the said *Joseph Pritchard* be the Officer for executing the said Act, and that his Name be inserted in the Bill accordingly.

Ordered, That the Bill be ingrossed; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The ingrossed Bill for vesting the Province-Island, and the Building thereon erected, and to be erected, in Trustees, for providing an Hospital for such sick Passengers as shall be imported into this Province, and to prevent the Spreading of infectious Distempers; was read the third Time.

Resolved, That the Bill do pass.

The ingrossed Bill imposing a Duty on Persons convicted of heinous Crimes, *&c.* was read the third Time.

Resolved, That the Bill do pass.

Ordered, That *Oswald Peele*, and *Samuel Levis*, wait upon the Governor with the said Bills, and desire his Concurrence to them.

The Gentlemen return, and report, that they waited on the Governor, and delivered the Bills to him, according to Order; and that the Governor was pleased to say, he would take the same into Consideration.

The Bill for the more eary Recovery of Legacies in this Province, was read a second Time, and ordered to be ingrossed; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Bill for the better securing the Peace at Elections of Representatives to serve in the General Assembly of this Province, was reported by the Gentlemen to whom the same was committed, with amendments.

Ordered, That the Bill be ingrossed; and then the House adjourned to Nine a Clock To-morrow Morning.

The House met, *&c.*

The ingrossed Bill for the more easy Recovery of Legacies within this Province, was read the third Time.

Resolved, That the Bill do pass.

The ingrossed Bill for the better securing the Peace at Elections of Representatives, *&c.* was read the third Time.

Resolved, That the Bill do pass.

Ordered, That *Jeremiah Starr*, and *Anthony Shaw*, wait upon Governor with the said Bills, and desire his Concurrence.

A Bill, intituled, *A Supplement to the Act for erecting and maintaining of Powńds*, was read the first Time, and ordered a second Reading.

The Gentlemen appointed to wait on the Governor with the Bills, report, that they delivered the same, according to Order; and that the Governor was pleased to say, he would take them into Consideration; then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met pursuant to their Adjournment.

The Petition of *John Webbe*, was again read, and referred to further Consideration; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Bill, intituled, *A Supplement to the Act*, intituled, *An Act for erecting and maintaining of Pownds*, was read the second Time; and a Debate arising thereupon, it was adjourned to the Afternoon; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Secretary attending without was called in, and delivered the Bill for the better preserving the Peace at Elections, *&c.* with some proposed Amendments, which were read.—The Secretary also delivered a written Message from the Governor, together with an Affidavit referred to in the said Message, which were read; and the Message follows in these Words, *viz.*

GENTLEMEN,

'AS the Safety of our Back Inhabitants in particular, and the Quiet of the Province in general, may be affected by the late unhappy Action between some of the Inhabitants of the Upper Part of *Virginia*, and a Party of *Indians* of the *Six Nations*, I think it highly proper, as you are now sitting, to lay the Matter, so far as it has yet come to my Knowledge, before you; and I have therefore ordered my Secretary to deliver to you a Copy of *Thomas M'Kee's* Deposition, taken Yesterday in Council. I cannot learn, that in the March of these *Indians* through our Settlements, they offered any Violence; from whence, and from their long approved Faith in Treaties, I am the less apprehensive of their intending any Thing in Violation of that held here last Summer: But of the *Shawanese*, I am far from entertaining the same favourable Sentiments (altho' they likewise have received considerable Presents from us, and are bound to us in a League of Friendship) as they are known to have a strong Attachment to the *French*, to be a persidious People, and to have rendered themselves justly to be suspected by their Behaviour in many Instances, as well as in the present, with regard to

M'Kee. To prevent the Flame from spreading wider, I propose to dispatch a Messenger to *Conrad Weiser*, the Province Interpreter, with Directions to proceed forthwith to *Shamokin*, and there to take the most proper Measurers for giving the *Indians* of the *Six Nations*, and all others in Alliance with us, the strongest Assurances in my Name, of the Continuance of our Friendship, so long as they shall maintain it on their Parts; tho' I confess it will be a very nice Affair, should they, in the Prosecution of their Revenge, attempt to pass through the inhabited Parts of this Province, to make War on our Fellow-Subjects of *Virginia*. I doubt not of your giving the proper Orders to the Treasurer for defraying what Expences shall be incurred on this Occasion.

As I am likewise informed, that this Accident has rendered the Inhabitants on the other Side of *Sasquehanna* extreamly uneasy, and jealous of all *Indians*, I shall endeavour to quiet their Minds, and forbid them offering Violence to any, unless it shall become absolutely necessary in their own Defence.

January 25, 1742-3. GEORGE THOMAS.

The House resumed the Debate on the Bill, intituled, *A Supplement to the Act for erecting and maintaining of Pownds;* and, after some Time spent therein, it was adjourned to To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor's Message was again read, and considered, with the Deposition of *Thomas M'Kee.*

Ordered, That *Isaac Norris, Thomas Leech, Abraham Chapman*, and *Joseph Harvey*, be a Committee to prepare a Draught of an Answer to the Governor's Message, and that they report the same to the House.

The House resumed the Debate upon the Pownd Act; and, after some Time spent therein, the same was referred to further Consideration; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Governor, by his Secretary, sent down the Bill imposing a Duty, *&c.* and the Bill for the more easy Recovery of Legacies, with sundry Amendments, which were read. Also a Letter from *Shickcalamy's* Son to the Governor.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was approved, and ordered to be transcribed, that it may be sent up to the Governor.

And being transcribed, it was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

AS it has ever been the Care of this Government to cultivate a good Understanding with the Indians *in general, and particularly with the* Six Nations, *"the late unhappy Action between some of the Inhabitants of the Upper Part of* Virginia, *and a Party of those Nations," gives us just Cause of Concern.*

We highly approve of the Measures the Governor is pleased to inform us he proposes to take "to prevent the Flame from spreading wider—by dispatching a Messenger to Conrad Weiser, *the Province Interpreter, with Directions to proceed forthwith to* Shamokin, *and there to take the most proper Measures for giving the* Indians *of the* Six Nations, *and all others in Alliance with us, the strongest Assurances, in his Name, of the Continuance of our Friendship" And if the Governor will also be pleased, by the same Messenger to propose to them his good Offices to meditate and obtain a Reconciliation, before any violent Methods are taken, it may prevent future Bloodshed, and divert those sudden Resolutions, which, on the first Hearing of this unhappy Affair, they may have been prompted to take.*

We would further offer it to the Governor's Consideration, whether it may not also be fit to transmit to the Government of Virginia, *an Account of the Manner in which the* Indians *represent this Action; to point out to them the Necessity of an Enquiry therein, that Justice may be done, and the ill Consequences, which otherwise might happen to the Back Parts of most of the* British *Colonies in* America, *be prevented.*

Whatever Sums of Money shall become necessary to expend to these good Purposes, we shall chearfully pay, and give the proper Orders on the Treasurer to this End.

It is not to be doubted but that this accident may have given some Uneasiness to the Inhabitants on the other Side of Sasquehanna: *but the prudent Steps the Governor is determined to take on this Occasion, will, we hope, have the proper Effect, and restore them to the Quiet they formerly enjoyed.*

And the Message being signed by the Speaker,

Ordered, That *Samuel Levis*, and *Jeremiah Starr* carry up the same to the Governor; and then the House adjourned to Nine a Clock To-morrow Morning.

The House met, *&c.*

The Gentlemen appointed Yesternight to wait on the Governor with the Message of the House, report, that they delivered the same, according to Order.

The House resumed the Consideration of the Amendments proposed by the Governor to the Election, Convict, and Legacy Bills: To some of which Amendments the House agreed, and in others adhered to the Bills.

The Governor, by his Secretary, sent down the Bill for vesting the Province-Island, and the Buildings thereon erected, and to be erected in Trustees, for providing an Hospital for such sick Passengers as shall be imported into this Province, and to prevent the Spreading of infectious Distempters, with some Amendments; together with the following Message, *viz.*

Mr. Speaker,

"I am commanded by the Governor to inform the House, that he had instructed *Conrad Weiser* to offer his Mediation to the *Six Nations*, and to use his utmost Endeavours to persuade them not to widen the Breach by having Recourse to Arms: And that he will write to the Governors of *Virginia*, as the House desires."

The House took the Governor's Amendments to the Province-Island Bill into Consideration; to some of which they agreed, and in others adhered to the Bill.

Ordered, That *John Hall* and *James Gibbons* wait upon the Governor with the Bills, and acquaint him, that the House have considered the Amendments proposed by him, to some of which they have agreed, and desire his Concurrence to the Bills as they now stand.

The Gentlemen return, and report, that they delivered the Message of the House, according to Order; and that the Governor was pleased to say, he would take it into Consideration.

Ordered, That the Treasurer agree with, and pay the Expresses on the *Indian* Affairs, such Sum for their Services as he shall judge reasonable; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Governor, by his Secretary, sent down the Bills following, *viz.*

The Bill for the better securing the Peace at Elections of Representatives to serve in the General Assembly of this Province.

The Bill for vesting the Province-Island, and the Buildings thereon erected, and to be erected, in Trustees, for providing an Hospital for such sick Passengers as shall be imported into the Province, and to prevent the Spreading of infectious Distempers.

The Bill imposing a Duty on Persons convicted of heinous Crimes, brought into this Province, and not warranted by the Laws of *Great-Britain*, and to prevent poor and impotent Persons being imported into the same. And,

The Bill for the more easy Recovery of Legacies within this Province, with the Amendments; to some of which he still adhered, tho' in others he agreed with the House; and the same were read; then the House adjourned to Nine a Clock To-morrow Morning.

The House met, *&c.*

The House resumed the Consideration of the Governor's Amendments, to several of which the House agreed; and then adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

Ordered, That *Thomas Leech*, and *Joseph Harvey*, wait upon the Governor, and acquaint him, that the House have agreed to his Amendments to the Convict Bill, and that for the Recovery of Legacies; and deliver him the Bill for vesting the Province-Island, *&c.* and the Bill for securing the Peace at Elections, *&c.* desiring his Concurrence to them as they now stand.

The Gentlemen return, and report, that they waited on the Governor with the Message of the House, and delivered the Bills, according to Order; and that the Governor was pleased to say, he would consider them; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor, by his Secretary, sent down the Bill for vesting the Province-Island in Trustees, *&c.* with his Concurrence; and the same was ordered to be ingrossed as amended.

And also the Bill for securing the Peace at Elections. And the Governor not waving his first proposed Amendment, it was referred to further Consideration; and then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met pursuant to their Adjournment, and adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The ingrossed Bills, with the Amendments, were read; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Petitions from *Chester* County, relating to the Flour Act, were again read, and considered, and the farther Consideration thereof adjourned to To-morrow Morning.

Ordered, That *Samuel Levis*, and *James Gibbons*, wait upon the Governor, and acquaint him, that the Bills which have been amended, with his Concurrence, are ingrossed; and desire that he will be pleased to appoint some Members of Council to join a Committee of this House, in order to compare the said ingrossed Bills with those that have been amended.

The Gentlemen return, and report that they waited on the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, he would appoint two Members of his Council for that Purpose to meet the Committee of the House at Eleven a Clock To-morrow Morning.

Ordered, That *Isaac Norris* and *Thomas Leech* be a Committee to compare the Bills with the Committee of Council; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor's Secretary attending, was called in, and acquainted the House, that the Governor had appointed two Members of his Council to join a Committee of the House to compare the Bills; and desire to know what Place the House would appoint for that Purpose. And the Chamber in the State-house being appointed, the Secretary withdrew; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Gentlemen appointed to compare the Bills with the Committee of Council, report, that they have done it, according to Order.

The House resuming the Consideration of the Petitions relating to the Flour Act,

Ordered, That *Thomas Leech*, *James Morris*, *John Watson*, *James Gibbons*, *Joseph Harvey*, and *Samuel Blunston*, be a Committee to revise the Flour Act, and prepare a Draught of a Bill against next Sitting for amending the same in such Parts as they shall think necessary.

The House, according to Leave given the Fourteenth past, resolved itself into a Committee of the whole House upon the Governor's Support; and, after some Time spent therein, the Speaker resumed the Chair, and *John Wright*, Chairman of the Grand Committee, reported, that the Committee had gone through the Matters committed to them. and had come to several Resolves, which he was ready to report when the House should see fit to receive the same.

Resolved, That the House will now receive the Report of the Grand Committee.

The Chairman thereupon reported as follows, *viz.*

"The Committee taking into Consideration the Governor's Support, and that a considerable Time hath elapsed since any Order hath been drawn on the Treasury to that End, are of Opinion, and therefore

"*Resolve*, That on the Passage of such Bills as now lie before the Governor, the Naturalization Bill, and such other Bills as may be presented to him during this Sitting, there be paid him the Sum of *Five Hundred Pounds*.

"*Resolved* also, That on the Passage of such Bills as now lie before the Governor, the Naturalization Bill, and such other Bills as may be presented to him during this Sitting, there be paid to the Governor the further Sum of *One Thousand Pounds* for the current Year's Support; and that Orders be drawn on the Treasurer or Trustees of the Loan-Office, pursuant to these Resolves."

And the House taking the same into Consideration,

Resolved, That on the Passage of such Bills as now lie before the Governor, the Naturalization Bill, and such other Bills as may be presented to him during this Sitting, there be paid him the Sum of *Five Hundred Pounds*.

Resolved also, That on the Passage of such Bills as now lie before the Governor, the Naturalization Bill, and such other Bills as may be presented to him this Sitting, there be paid to the Governor the further Sum of *One Thousand Pounds* for the current Year's Support, and that Orders be drawn on the Treasurer or Trustees of the Loan-Office pursuant to these Resolves.

Ordered, That *Mark Watson* and *Benjamin Field* wait upon the Governor, and desire to know when the House shall wait upon him with the Bills that have passed the House with his Concurrence, that they may be passed into Laws; and then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same, according to Order; and that the Governor was pleased to say, he would receive the House for that Purpose this Day at Twelve a Clock.

Then the Bills being signed by the Speaker by Order of the House, and Orders on the Trustees and Treasurer for the Payment of *Fifteen Hundred Pounds* to the Governor, being also drawn, and signed, according to Order:

The Speaker left the Chair, and, with the whole House, waited upon the Governor.

And the House being returned, the Speaker reported, that the House had waited on the Governor, and that he had given his Assent to the Bills which were presented to him, and enacted the same into Laws, *viz.*

An Act imposing a Duty on Persons convicted of heinous Crimes, brought into this Province, and not warranted by the Laws of Great-Britain, *and to prevent poor and impotent Persons being imported into the same.*

An Act for the more easy and speedy Recovery of small Debts.

An Act for continuing and amending the Act of Assembly, intituled, A Supplement to the Act for electing Members of Assembly, *&c.*

An Act for the Vesting of the Province-Island, and the Buildings thereon erected, and to be erected, in Trustees, for providing an Hospital for such sick Passengers as shall be imported into this Province; and to prevent the Spreading of infectious Distempers.

An Act for the more easy Recovery of Legacies within this Province.

An Act for naturalizing such foreign Protestants as are settled, or shall settle, within this Province, who, not being of the People called Quakers, *do conscientiously refuse the Taking of any Oath.*

That *Thomas Leech*, and *Isaac Norris*, were appointed to see the Great Seal affixed to the same; and that the Speaker had presented the Governor with the Orders of the House: Upon which he had been pleased to express himself as follows, *viz.*

"I thank you, Gentlemen, for this Instance of your Regard; which I am the more pleased with, as it gives an agreeable Prospect of future Harmony between me and the Representatives of the People. But a good Understanding between the two Branches of the Legislature, is not alone what I aim at: It is my hearty Desire, that all Party Animosities may be laid aside, that all Differences on this Account between one Man and another may cease, and that all may unite in promoting the true Interests of the Country."

Then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

Isaac Norris and *Thomas Leech* reported, that they had with two Members of the Council, seen the Great Seal affixed to the Laws; and the Laws lodged in the Rolls Office, in order to be recorded.

Ordered, That the Laws now passed be immediately printed, and bound up with the Body of Laws; and that the Minutes be also printed.

Ordered, That *Joseph Trotter*, *Owen Evans*, *Oswald Peele*, *Abraham Chapman*, *John Owen*, and *Samuel Levis*, be a Committee to consider the Remonstrances of *Clement Plumstead*, *William Allen*, *Joseph Turner*, *Abraham Taylor*, and *Septimus Robinson*, Magistrates of the City and County of *Philadelphia;* and that they report to the House, at their next Sitting, their Opinion what may be proper for the House to do therein.

Ordered, That *James Morris*, and *Mahlon Kirkbride*, wait on the Governor, and acquaint him, that the House is inclinable to adjourn to the Second Day of the next *Third Month*, if the Governor hath no Objection.

Resolved, That this House will defray such Expences as shall become necessary in the Transacting Affairs with the *Indians*, between this Time and the next Sitting of Assembly; and that a Copy of the Resolve be delivered by the Clerk to the Treasurer.

The Gentlemen appointed to wait on the Governor with the Message of the House, return, and report, that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment.

Ordered, That the Clerk make a Collection of the Minutes of the House as far back as they have been printed, for the Use of the House; then the House adjourned to the Second Day of the *Third Month* next.

THE House met pursuant to their Adjournment.

Ordered, That *Joseph Trotter*, and *Owen Evans*, wait upon the Governor, and acquaint, him that the House is met according to their Adjournment, and are ready to receive any Thing he may have to lay before them.

The Gentlemen return, and report, that they waited on the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, that if he had any Thing to communicate to the House, he would do it by a Message; and that he was ready to receive any Thing the House might have to lay before him; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, and adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

A Petition from the Mayor and Commonalty of the City of *Philadelphia*, praying Leave to bring in a Bill for regulat-

ing the Watch in the said City, and raising Money on the Inhabitants for the Support of the same; was read, and ordered a second Reading.

A Petition from sundry Inhabitants of *Chester* and *Lancaster* Counties, praying an Amendment or Repeal of the Flour Act, was read, and *ordered to lie on the* Table; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Petition from the Mayor and Commonalty of *Philadelphia*, was again read and considered;

Ordered, That the Petitioners have Leave to bring in a Bill according to the Prayer of their Petition.

The Petition of sundry Inhabitants of *Chester* and *Lancaster* Counties, relating to the Flour Act, was again read, and referred to the Consideration of the Committee appointed to revise the Flour Act.

Ordered, That *Isaac Norris*, and *Oswald Peele*, wait upon the Governor, and acquaint him, that the House is inclined to adjourn to the First Day of the next *Sixth Month*, unless he hath something to lay before them that may require their longer Stay.

The Gentlemen return, and report, that they acquainted the Governor with the Time proposed for the Adjournment, according to the Order of the House: and that the Governor was pleased to say, he had nothing to lay before the House at this Time, nor any Objection to the Time proposed.

Ordered, That an Order issue under the Hand of the Speaker upon the Provincial Treasurer, for the Payment of *Fifty Pounds* into the Hands of the Trustees of the Province-Island, to defray the Repairs of the Buildings thereupon.

And the same was drawn and signed accordingly.

Ordered, That the Superintendants of the Building of the State-house proceed to finish the Room at the West End, as soon as conveniently may be; and then the House adjourned to the First Day of the next *Sixth Month*.

THE House met according to their Adjournment.

Ordered, That *Edward Warner* and *Joseph Trotter* wait upon the Governor, and acquaint him, that the House is met pursuant to their Adjournment: and that if the Governor hath any Thing to lay before them, they are ready to receive it.

The Gentlemen return, and report, that they have waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, that what he had to lay before the House he would

communicate to them by Message; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

A Petition from sundry Inhabitants of *Bucks* County, setting forth, That the present Situation of the Court-house at *Newtown*, is by Experience found to be highly inconvenient; the Entertainment to be had there, being by no Means proportionable to the Number of People who are obliged to attend the Courts of Justice; by which Means many of the Inhabitants undergo great Hardships through the Want of Accommodations, and the Necessity of frequent Journeyings; that the Prisioners, by the Remoteness of the Goal from the most publick Roads, are deprived of the Relief that might probably be afforded them in a Place more publick and populous; that by Means of the Fairs held in Bristol, and the Situation of that Borough, it is a Place of great Resort; and frequent Disorders thereby arising in it, great Difficulty is occasioned to the Officers of the Peace, in taking the many Offenders such a Distance for Confinement; and the said Borough being, as the Petitioners conceive, better situated, by its Situation, Number of Inhabitants, *&c.* than any other Part of the County to remedy these Inconveniences, they therefore pray, that the Courts of Justice may, as heretofore, be held therein, or at least alternately there and at *Newtown:* And in case the Petition be granted, the Petitioners propose to raise Money sufficient to build a convenient Court-house at *Bristol*, without any Charge to the Publick; was presented to the House, and read, and *ordered to lie on the Table.*

According to Leave formerly given, a Bill was brought into the House from the Mayor and Commonalty of the City of *Philadelphia*, for regulating the nightly Watch of the said City, and raising Money on the Inhabitants to defray the necessary Expenses thereof: And the same was read the first Time, and ordered a second Reading.

A Petition from *Joseph Breintnall* was presented to the House, and read, praying, that if the Excise Act be renewed, and the present Officer not continued, the Petitioner may be appointed the Officer to execute the said Act. *Ordered to lie on the Table;* then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'I HAVE now the Pleasure to tell you, that my Mediation between the Government of *Virginia* and the *Indians* of the *Six Nations*, has been so far attended with Success, that nothing seems wanting, but the Form of a Treaty, to reconcile their Differences, as well on Account of the late unhappy Skirmish, as of the Lands claimed by those *Indians;* which both Parties are desirous should be held next Spring, and have given me the strongest Assurances, that no Acts of Hostility shall be committed in the mean time. The Governor of *Maryland* has likewise promised, that Satisfaction shall be made them for their Lands, settled by the People under his Government. I can truly say, that I have spared no Pains, for no Pains can be too great, to accomplish so desirable a Work, as that of Peace; and I assure myself from thence of your and every Man's Approbation that has any Sentiments of Humanity, or knows how to value the Reputation or Security, that will attend this Government, from its becoming the Reconciler of our Neighbours Quarrels. To avoid Prolixity, and for your more particular Information and Satisfaction, I have ordered Copies of the most material Transactions in this Affair to be laid before you.

As this has generally been the Season for finishing the Business of the Year, it may not be improper to put you in Mind, that there are still some Things undone, which immediately concern the Interests of the Publick: I for my Part shall be glad of this, and every other Opportunity of demonstrating my Willingness to do every Thing that can reasonably be expected of me.

August 2, 1743. GEORGE THOMAS.

Several Letters, Papers, *&c.* referred to in the Message, and delivered with it to the House, were also read.

Resolved, That the Governor's Message be again read and considered To-morrow Afternoon; and then the House adjourned to Three a Clock To-morrow Afternoon.

The House met pursuant to their Adjournment.

A Petition from a considerable Number of Merchants, and others, trading in Flour in the City of *Philadelphia*, setting forth, that they have found, by long Experience, that the Flour Act hath contributed very much to the Advancement of the Credit of our Flour in Foreign Markets, and hath, in great Measure, answered the good Ends intended by it; that *Samuel Carpenter*, the present Officer for the County of *Philadelphia*, hath taken Care, by a well qualified Deputy, to have

the Act duly executed; and yet (the Petitioners are informed) several Petitions have been presented to the House, praying for such Alterations as will intirely defeat the good Intent of the said Act, and extremely prejudice the Trade and Reputation of this Province; and therefore these Petitioners pray, that the Act may be continued, and those groundless Petitions dismissed; was presended to the House, and read, and referred to the Committee appointed to revise the said Flour Act.

A Petition from a Number of Millers and Makers of Flour, setting forth, that they understand several Petitions are presented to the House, praying for such Alterations of the Flour Act, as they conceive, will be injurious to the Reputation and Trade of the Province, the said Act being, as it stands, very beneficial, and at present well executed; they therefore pray that it may be continued, and those groundless Petitions dismissed; was presented to the House, and read, and referred to the Committee appointed to revise the Flour Act.

A Petition from *Joseph Gray*, of the City of *Philadelphia*, Inn-holder, praying to be appointed the Officer for executing the Excise Act, if that Act be renewed. *Ordered to lie on the Table.*

The Governor's-Message was again read, and considered;

Ordered, That *Isaac Norris*, *Samuel Blunston*, *Thomas Leech*, *Joseph Harvey*, and *Abraham Chapman*, be a Committee to prepare a Draught of an Answer to the same, and that they report it to the House.

It being moved that the House would take into Consideration the several Acts relating to the Continuance of the Trustees of the Loan-Office; it was

Resolved, That the House will, To-morrow Morning, resolve itself into a Committee of the whole House upon that Affair; and then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The House, according to the Resolve of Yesterday, resolved itself into a Committee of the whole House on the Affair of the Trustees; and, after some Time spent therein, the Speaker resumed the Chair, and *Abraham Chapman*, Chairman of the Grand Committee, reported, that the Committee had made some Progress in the Matters referred to them, and desired Leave to sit again.

Resolved, That the House will, this Afternoon, again resolve itself into a Committee of the whole House on the Affair

of the Trustees; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House, according to the Order of the Morning, resolved itself into a Committee of the whole House; and, after some Time spent therein, the Speaker resumed the Chair, and *Abraham Chapman*, Chairman of the Grand Committee, reported, that they had made some farther Progress in the Matters referred to them, and desired Leave to sit again.

Resolved, That the House will, To-morrow Morning, again resolve itself into a Committee of the whole House, on the Affair of the Trustees; and then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

A Petition from *John Ryan*, a languishing Prisoner in the Common Goal of *Philadelphia*, setting forth, that he has been confined there now seventeen Weeks, at the Suit of *Thomas Campbell*, who happens to be his Security for Performance of an Arbitration Bond, by the Award of which, the Petitioner was to pay *Two Hundred* and *Tewenty-one Pounds*, to one *Hacket*, on the Twenty-third Day of *January* last, and had actually provided *One Hundred* and *Eighty Pounds* of the Money, when on the Fifth of the said Month, in the Night-time, a dreadful Fire broke out near his House, which, with the said Money, and all his Substance of every Kind, some few Trifles excepted, to the Amount of *Three Thousand Pounds*, and upwards was utterly destroyed, and consumed, and the Petitioner, with his Wife, and seven helpless almost naked Children, hardly escaped with their Lives; that the Petitioner had *One Hundred* and *Twenty-five Pounds* given him out of the charitable Collection made for the Sufferers in the said Fire, but the same not being sufficient to discharge his Debts, he had sent *One Hundred Pounds* of it to Sea, as a Beginning of Business, whence something might arise for the Support of himself and Family; but the same was taken by the Enemy, and he is now entirely unable to make any Satisfaction to his Creditors; and therefore prays, that the House would take the Premises into Consideration, and by such Means as they judge proper procure his Enlargement, *&c.* was presented to the House, and read. *Ordered to lie on the Table.*

A Petition from *Jacob Mellor*, late Tenant of the Province Island, praying some Relief in the Agreement he made with the Trustees of the said Island; was presented to the House, and read. *Ordered to lie on the Table.*

The House, pursuant to the Order of Yesterday, resolved itself again into a Committee of the whole House, on the Affair of the Trustees; and, after some Time spent therein, the Speaker resumed the Chair, and *Abraham Chapman*, Chairman of the Grand Committee, reported, that the Committee had come to a Resolution on the Matter referred to them, which he was ready to report to the House, when the House shall think fit to receive it.

Resolved, That the House will receive it immediately.

The Chairman thereupon reported as follows, *viz.*

"The Committee have taken into Consideration the several Acts of Assembly to them referred, and are clearly of Opinion, that by the Act for emitting *Eighty Thousand Pounds*, in Bills of Credit, the Assembly have the Power of nominating and appointing Trustees of the Loan-Office, to succeed those now in the Trust; yet foreasmuch as Disputes have arisen concerning the Time in which the Power of the present Trustees is to determine by Virtue of the said Acts, they think it expedient, and have therefore

Resolved, That a Bill be brought in for a new Appointment of Trustees of the General Loan-Office."

Resolved, That the Report of the Grand Committee be considered in the Afternoon; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House took into Consideration the Report of the Grand Committee; and, after some Debate,

Resolved, That a Bill be brought in for a new Appointment of Trustees of the General Loan-Office, pursuant to the said Report.

Ordered, That *Thomas Leech*, *Robert Jones*, *John Hall*, *John Owen*, and *Anthony Shaw*, be a Committee to prepare and bring in a Bill for that Purpose.

A Bill to prevent the Exportation of Bread and Flour not merchantable, was read the first Time, and ordered a second Reading.

The Petition from a Number of Inhabitants of the County of *Bucks*, relating to the Court-house, *&c.* was again read, and referred to further Consideration; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Gentlemen appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the

House, and it was read by Order, and ordered to be transcribed, to be sent up to the Governor.

A Bill for removing the present Trustees of the Loan-Office, and appointing others to execute the said Trust; was read the first Time, and ordered a second Reading.

The Message to the Governor being transcribed, was again read, and follows in these Wosds, *viz.*

May it please the GOVERNOR,

We receive with great Satisfaction the Acconnt the Governor is pleased to give us, that his Mediation between the Government of Virginia *and the* Indians *of the* Six Nations *is attended with Success. The late unhappy Skirmish between some of the Inhabitants of that Colony, and a Party of the* Six Nations, *to such as considered the dismal Consequences that might have attended, afforded but a melancholy Prospect: And as we now find, that by the Governor's Care and Diligence, the Scene is happily changed, the Obstacles to future Peace removed, it merits not only "ours and every Man's Approbation," but excites our Gratitude in the Return of our hearty Thanks.*

This has generally been the Season for finishing the Business of the Year; such as appears to us necessary now to be done, we have under our Consideration, and the Part which lies before us, we hope in a little Time to compleat: And we acknowledge the Obligation we are under for the kind Declaration the Governor is pleased to make, "of his being glad of this and every other Opportunity of demonstrating his Willingness to do every Thing that can reasonably be expected of him."

And the Message being signed by the Speaker by Order of the House,

Ordered, That *Oswald Peele*, and *Anthony Shaw*, carry up the same to the Governor.

Ordered, That *Israel Pemberton*, *Edward Warner*, *John Owen*, *Abraham Chapman*, and *Thomas Linley*, be a Committee to settle the Accounts of the Incidental Charges of the Year.

The Petition of *Jacob Mellor* was again read, and referred to the Committee of Incidental Charges.

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same, according to Order. Then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met pursuant to their Adjournment.

The Bill for preventing the Exportation of Bread and Flour not merchantable, was read a second Time;

And the Question being put, whether the Word BAD be branded, on each Cask of Flour found not merchantable? *It passed in the Negative.*

Resolved, That some Mark be put on each Cask of Flour found not merchantable.

Resolved, That the Word CONDEMNED be branded on each Cask of Flour that shall be condemned.

And then, after some Debate, the further Consideration of the said Bill was adjourned, *Sine Die.* And then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Bill for removing the Trustees of the General Loan-Office, and appointing others to execute the said Trust, was read, Paragraph by Paragraph, and considered; and the further Consideration thereof adjourned to the Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House resumed the Consideration of the Bill for removing the Trustees of the Loan-Office, and appointing others to execute the said Trust; and, after some Time spent therein, the farther Consideration thereof was adjourned To-morrow Morning then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Speaker communicated to the House several Letters from the Agent at Home, which was read; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House resumed the Consideration of the Bill for removing the Trustees of the Loan-Office, and appointing others to execute the said Trust; and, after some Debate.

Resolved, That *John Kinsey*, Esq; be nominated one of Trustees of the Loan-Office in the present Bill.

Resolved, That *Thomas Leech* be nominated one of the Trustees of the Loan-Office in the present Bill.

Resolved, That *Benjamin Field* be nominated one of the Trustees of the Loan-Office in the present Bill.

Resolved, That *John Owen* be nominated one of the Trustees of the Loan-Office in the present Bill.

Resolved, That *Thomas Linley* be nominated one of the Trustees of the Loan-Office in the present Bill.

And then the further Consideration of the Bill was adjourned to To-morrow Morning then the House adjourned to Ten a Clock To-morrow Morning.

The House met, &c.

The House resumed the Consideration of the Bill for removing the Trustees of the Loan-Office, and appointing others to execute the said Trust; and it was

Ordered, That the Bill be ingrossed; and then the House adjourned to Three a Clock in the Afternoon.

The House met, &c.

The Committee appointed to audit and settle the Publick Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Perusal of the Members.

The ingrossed Bill for removing the Trustees of the General Loan-Office, and appointing others to execute the said Trust, was read a third Time.

Resolved, That the Bill do pass.

Ordered, That *John Watson*, and *Samuel Levis*, carry up the Bill to the Governor, and desire his Concurrence to the same.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Bill, according to Order.

The Bill for regulating the Nightly Watch within the City of *Philadelphia*, and for raising Money on the Inhabitants of the said City for defraying the necessary Expences thereof, was read a second Time;

And it being observed, That, as it is proposed by the Bill to lay a Tax on the Inhabitants of the City of *Philadelphia*, it would therefore be proper the said Inhabitants should be acquainted therewith; and the House not usually sitting to do much Business at this Season of the Year, it is thought proper to refer the Consideration of the said Bill to the next Assembly; and in the mean Time it is ordered to be printed, and dispersed by the Clerk with his Newspapers among the Inhabitants of the City for their Perusal.

A Petition from sundry Inhabitants of Chester County, setting forth, that it is become customery in many Places, to give at publick Sales or Vendues profuse Quantities of spirituous Liquors to the People, gathered on those Occasions, the excessive drinking of which frequently produces Swearing, Quarrelling, and other scandalous Enormities; and moreover is often the Cause that poor People give extravagant Prices for unnecessary Things, whereby their Families are much oppressed, and sometimes ruined; and therefore the Petitioners pray, that the House, taking the Premises into Consideration would apply such Remedy as to their Wisdom shall seem meet; was presented to the House, and read, and *ordered to lie on the Table;* then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

It being moved that the House do at this Time resume the Consideration of the Bill to prevent the Exportation of Bread and Flour not merchantable, the Question was put, and *passed in the Negative.*

A Petition from *Anne Asheton*, of *Lower-Dublin*, in *Philadelphia* County, Widow, was presented to the House, and read, praying, for the Reasons therein mentioned, that the House would order the Remission of a Fine she has incurred by selling Rum, *&c.* without paying the Duty, and taking a Permit, as required by Law. *Ordered to lie on the Table.*

The Petition of *John Ryan* was again read, with several Papers thereunto annexed; and, after some Time spent thereon, it was referred to further Consideration in the Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House resuming the Consideration of the Petition of *John Ryan*, are of Opinion, that if the Petitioner's Circumstances are such as he has represented them, they deserve Compassion; but the House do not think it will be fitting for them to interpose thus early between him and his Creditors, and therefore order that the Petition do lie on the Table; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

Ordered, That *Mark Watson*, and *Jeremiah Starr*, wait upon the Governor, and acquaint him, that divers of the Members are sick, and cannot attend the Service of the House, and therefore the House being inclined to rise as soon as possible, are desirous of knowing his Sentiments on the Bill now before him.

The Gentlemen return, and report, that they waited on the Governor, and delivered the Message of the House, according to Order; and the Governor was pleased to answer to this Effect, That he was sorry for the Indisposition of the Members; that he has the Bill under Consideration; that as the present Members have been in the House these three Years, and himself Governor, they understood each other very well.

The Committee appointed to consider the Remonstrances of the Magistrates of *Philadelphia* City and County, made their Report in Writing, which was read, and follows in these Words, *viz.*

'IN Obedience to the Order of the House, your Committee have taken into Consideration the Remonstrances you were pleased to refer to them; They find, that the Remon-

strances, instead of taking the Measures necessary to acquit themselves from the several Matters wherewith they are charged, attempt to recriminate, and cast unjust and groundless Aspersions on your past Proceedings on the late very extraordinary Riot.

Your Committee have therefore thought it requisite to lay before you such Observations as have occurred to them in considering these Remonstrances, and point out the Particulars in which the Injustice and Aspersions are contained, to the End you may the readier determine what may become the House further to do therein.

The Remonstrance from the Mayor, Recorder, and one of the Aldermen of the City of *Philadelphia*, is introduced with acquainting the House, by what Means they obtained a Copy of the Assembly's Address to the Governor, 'and with inexpressible Concern (they say) they behold that Address blasting their Reputations in the most sensible and tender Parts; endeavouring to divest them of the Powers held under the City Charter, and striking at the fundamental Rights of the Corporation through their Sides.' But what Part of the Address complained against, the Remonstrants thus 'beheld blasting their Reputations in the most sensible and tender Parts', they do not particularize. If a due Regard to Truth be any ingredient in the Reputation they pretend to be 'inexpressibly concerned for,' your Committee are of Opinion it would have become them, before they had exhibited such a Charge against the Representative Body of a Province, to have considered what Proofs they had to support it; for to charge without Proof, and without Truth too, must be ill adapted to support that Reputation, 'which is the most delicate and valuable Enjoyment of Life.'

'What Fundamental of the Corporation has been struck at through the Sides of the Remonstrants, as they do not specify, your Committee can but guess at: We hope *unconcontroulable Power* is not numbered among their Fundamentals; nor that, when the Mayor, Recorder and Alderman, of the City, are charged with Crimes, they do not claim it as a Fundamental to judge in their own Causes, exclusive of others. And yet, unless they do lay Claim to these exorbitant Powers, we conceive the Remonstrants will find themselves much at a Loss to give the least Colour for so unjust a Charge, as that of 'striking at the fundamental Rights of the whole Corporation through their Sides.'

'Nor can your Committee, upon the narrowest Scrutiny and Review of the Proceedings, which have been in this Affair, find, with what Colour or Shew of Truth the Remonstrants

pretend to have been charged by the House with 'Crimes they are innocent of and detest, on Examinations taken without their Knowledge, and hitherto concealed from them.'

'To place this Matter in a true Light, your Committee think it necessary to look back and take Notice, how this Affair against the Remonstrants first took its Rise in the House, and of the Steps that were after taken therein. Soon after the first Meeting of the present Assembly, a Petition was presented by divers Inhabitants of the County of *Philadelphia*, complaining of the Riot before-mentioned, praying the House, 'as the Grand Inquest of the Province, to make a strict and speedy Enquiry into the Premises, that the Authors of this violent Attempt on their Lives and Liberties might be known, and duly prosecuted.'

'As it was an Affair of very great Consequence, the House, without Breach of the Trust reposed in them, could not, as we conceive, have avoided the Enquiry, and therefore went into it. Your Committee observe, the Petition charges no Persons in particular with being guilty of the Riot, and therefore it would not have been Parliamentary nor can any Reason be assigned, why the Assembly should have enjoined the Attendance of the Remonstrants, or have given them any Notice of their Proceedings therein, rather than any other Persons, until by the Examinations taken, it appeared there was Cause for it. And when those Examinations were taken, the House had an undoubted Right to judge what Use was to be made of them.'

If, on their Enquiry, the Laws against Riots appeared to be defective, they had Right to propose a Bill to amend them. If the Defect was not in the Laws, but in Officers whose Duty it was to have put them in Execution, the House, at their Discretion, might endeavour the Redress of that Grievance; either *first*, By addressing the Governor that the Parties delinquent might be turned out of such Offices as they held under him, or that they might be prosecuted in the ordinary Course of Justice: Or, *secondly*, If the Greatness of the Offenders put them above the ordinary Methods of Prosecution, or there were other special Reasons to induce the House, they might have proceeded by Impeachment against the Offenders: Or *thirdly*, If the Nature of the Offences required it, a late Precedent would have warranted their preparing a Bill to disable the Delinquents from holding any Offices within the Government.

Such however was the Moderation of the House, on the present Occasion, that after divers Examinations were taken, and it appeared the Remonstrants were charged by many

Witnesses with a very great Neglect of their Duty, as Magistrates, they chose the Matter might be enquired into, and determined in the ordinary Course of Justice, without attempting those more extraordinary Methods the Wisdom of Parliaments have thought necessary in less heinous Offences.

To this End therefore, some Time after, an Address was prepared and presented to the Governor, in which a Narrative of the Riot before-mentioned is introduced with these Words: 'The Discoveries we have been able to make in the Course of this Enquiry, we apprehend it to be our Duty to lay before the Governor, as they appear to us from the Examinations taken, which are to the Effect following.' 'Next follows the Narrative; and whoever, will be at Pains of comparing it with the Examinations on which it is grounded, cannot, if he judge impartially, say the Facts are aggravated, but, on the contrary, that they are truly and fairly stated to the Governor.'

'And as the Persons examined charge the Mayor and Recorder with a very great Neglect of their Duty, in not using the proper Methods for suppressing this Riot, your Committee are of Opinion, it would be the Height of Absurdity to suppose that the Persons thus accused (and without whom the Mayor's Court could not sit or act) should be thought competent Judges in thier own Cases; and therefore the Application the House thought fit to make, that it might please the Governor 'to recommend it to the Judges of the Supreme Court, as an Affair, of the greatest Importance, worthy of their Notice, in which, as they have an undoubted Right, they ought to interpose, *&c.*' must have been proper Method: and without which (at least in the ordinary Way of Proceedings) there would be a Failure of Justice.'

'After so great Moderation shewn, your Committee are surprized to find the Remonstrants unjustly complaining, 'that they have been tried, condemned, and sentenced, to lose their Rights, Liberties and Franchises, without knowing either their Accusations or Accusers, or suffering them to say one Syllable in Defence of themselves.'

'Your Committee are far from desiring to aggravate Matters, and yet we cannot reflect, how little Truth, and how great Injustice is contained in this Paragraph, without some Resentment. If these Gentlemen have any Regard to that Reputation they describe, as 'the most delicate and valuable Enjoyment of Life,' it will behove them to shew, where it is the Assembly have charged them with any Crime at all? Where it is, when, and in what Instance it was, they have been 'tried, condemned and sentenced to lose their Rights, Liberties

and Franchises?' What it is they mean by Examinations taken, and 'concealed from them'? Whether they have ever applied for any Copies of Examinations, and were denied? Whether they ever desired to know their Accusers, and were refused? And if they really are so innocent as they pretend, why, when they were offered to be heard in their own Defence, they should decline it, and yet complain? Had the Facts contained in Address been aggravated, or represented in a Light the Examinations did not bear, there had been Cause of Complaint; but as there is not the least Colour for such an Assertion; as the Facts are fairly stated by the House, without giving any Opinion (tho' this they might warrantably have done) whether the Remonstrants were, or were not guilty of the Crimes wherewith they stood charged; it is the Height of Injustice in them to alledge, that 'they have already been condemned,' or that 'the House has been prevailed to pass the severest Sentence the Law could inflict for highter Offences than they are charged with.' The Gentlemen may paint out in strong Colours the 'Delicay of Reputation,' and how 'valuable the Enjoyment is;' but if they really are not 'insensible of the common Rights of Mankind, and regardless of their own Characters, such random Charges should have been forborn, since the Truth of them is not to be supported.

'The Remonstrants pretend to great Regard for our Inestimable Laws: Your Committee are of Opinion, the best Evidence they can bring of this, will be to shew they have been duly executed. The Remonstrants do, or ought to know, that for any Number of Men to go armed to the Terror of the King's Subjects, is a Crime which renders them liable to Punishment, although they do not actually break the Peace; that it is the Duty of Magistrates to use their Endeavours to prevent and suppress Disorders of this Kind; and the Neglect of this Duty is also criminal and punishable.

The Remonstrants do indeed alledge they are able, by 'Persons of unquestioned Veracity and Credit,' to acquit themselves; but whilst they decline producing Witnesses to support the Truth of their Allegations, we think no Body will be at a Loss to determine on which Side of the Question the Truth is, or to judge what are the Motives which influence this Part of their Conduct.

Two of the Remonstrants endeavour to excuse themselves, by alledging, that 'the Charter of the City of *Philadelphia* vests the Mayor, Recorder and Aldermen, with Authority to take Cognizance of all Offences beneath Capital, committed

within the City, *&c.*' And that therefore they 'have never in a single Instance presumed to exercise any Jurisdiction in criminal Cases there, *&c.*'

'What these Gentlemen have or have not done, is not the Rule by which a Judgment is to be formed of their Duty, but the Law; and your Committee are of Opinion, they obviously mistake their Duty. Had the Remonstrants looked into the Charter, they might have observed it does not give the Mayor, Recorder and Aldermen, any Power in criminal Cases exclusive of other Magistrates; and therefore we conceive the Justices of the County may, as Occasion requires, take Cognizance in such Cases, without interfering with the Charter. The Commissions and Oaths, or Affirmations of the Justices of the County, extend to the whole County; and when any Occasion requires their suppressing of Riots, preserving the publick Peace, or doing other Acts as Justices within the City, there can be no Doubt but that they have sufficient Power to perform them; and we are at a Loss to know, where it is the Remonstrants have found a Dispensation for the Non-performance of this Part of their Duty. The Justices of the County hold their Sessions, and do all judicial Acts which pertain to their Offices, within the City: But this, we conceive, they could no more do, were it not, a Part of the County, than they could do in a different County or Province. And if they are admitted to have the Power of holding a Court in the City, they must undoubtedly have Power to preserve the Peace whilst it is held; and if they have by Law a Power to keep the Peace at that Time and Place, it will be difficult to assisn a Reason why they cannot, or ought not to keep the Peace, or do any other Acts as Magistrates, at any other Time, or within any other Part of the City.

On the Whole, your Committee are of Opinion, that the unjust and groundless Aspersions cast upon the House by the Remonstrants, renders it necessary that the Examinations taken in this Affair, should be published with your Minutes, that every one, who will be at the Pains of perusing them, may find the Facts set forth in your Address to the Governor fully supported, and the Account the Remonstrants have given of their Conduct manifestly contradicted.'

Your Committee are also of Opinion, that it will be necessary for the House to come to such Resolutions upon these Remonstrances, as may fully assert the Rights and Privileges of the Representatives of the Freemen of the Province, express their Sentiments of the Remonstrants Conduct, and the unjust Aspersions cast on the House; and also their Opinion of the Powers of the Justices of the Peace of the County of

Philadelphia within the City; that if hereafter they shall neglect the Duty of their respective Offices, they may remain inexcusable, it any future Assembly shall think it fit to impeach them for such Misconduct. But the whole is nevertheless submitted to the Judgment and Correction of the House,' by

SAMUEL LEVIS,
ABRAHAM CHAPMAN,
OSWALD PEELE,
OWEN EVANS,
JOSEPH TROTTER,
JOHN OWEN.

And it being moved, that *Isaac Norris*, one of the Members of this House, is accused in one of the Remonstrances of the Magistrates, as neglecting his Duty on the Day of the Riot, he was called upon to render an Account of his Conduct at that Time; and in Justification of himself answered, That the first Disturbance happened before his coming to the Place of Election; that after his coming thither, he has some Discourse with the Remonstrant, *Abraham Taylor*, but being chosen an Inspector, left him, and went into the Court-house, to attend the Service to which he was elected; and that whilst he was without, he saw no Breach of the Peace that required his exerting any Authority as a Magistrate, nor was any Application made to him for that Purpose.

Israel Pemberton, a Member of this House, being charged by the Remonstrant, *Joseph Turner*, with taking him by the Collar, denies the Charge, and alleges, that the said *Joseph Turner*, having laid violent Hands on a Person who was in Pursuit of one *Mitchell*, that had threatened to disturb the Election, he the said *Pemberton* gently took hold of the said *Turner's* Arms, desiring him not to break the Peace; that the said *Turner* then let go the Person, and seized him the said *Pemberton* with Violence; and some little Time after called out to him to come to the Place of Election, where, if he wanted Mobbing, he might have enough of it, or Words to that Effect; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Committee of Grievances made their Report upon some Petitions of Masters, referred to them, relating to sundry Servants taken away upon the Expedition; and it was thereupon

Ordered, That Orders drawn upon the Provincial Treasurer issue under the Hand of the Speaker, for the Payment of *Two Pounds, Seventeen Shillings*, and *Nine-pence*, to *Isaac Crall; Nine Pounds, Seven Shillings*, and *Three-pence Half-penny to Samuel Scott; Nine Pounds*, and *Ten-pence*, to *Arthur Patterson;* and *Three Pounds Twelve Shillings* to *Judith Sherman*, in Consideration of the Loss of their Servants.

The Petition of *Martin Reardon* was again read, and referred to further Consideration.

The Committee of incidental Charges reported upon *Jacob Mellor's* Petition, referred to them, that it was their Opinion *Twenty-seven Pounds, Eighteen Shillings*, and *Ten-pence*, be abated him in Consideration of his Poverty: To which the House agreed.

Ordered, That *Joseph Trotter*, and *Samuel Levis*, wait upon the Governor, and acquaint him, that the House proposes to adjourn this Day to the Thirtieth of *September*, if the Governor hath nothing to lay before them that may require their longer Stay.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, he had no Objection to the Adjournment.

The House taking into Consideration the Report of the Committee on the Remonstrances of *Clement Plumsted, William Allen, Joseph Turner, Abraham Taylor*, and *Septimus Robinson*, Magistrates of the City, and of the County of *Philadelphia*, do agree to the said Report; and thereupon came to the Resolutions following, *viz.*

Resolved, That it is the Opinion of this House, that the Charter granted to the Mayor and Commonalty of the City of *Philadelphia*, does not give the Mayor and Aldermen of the said City an exempt Jurisdiction from, but a concurrent Jurisdiction with, the Justices of the Peace of the County of *Philadelphia* within the said City; and that it is the Duty of the said Justices, as well as the Duty of the Mayor and Aldermen, to use their Endeavours to preserve the Publick Peace of the said City.

Resolved, That it appears to this House by the Examinations taken concerning the late Riot, that the Remonstrants before named, have each of them greatly neglected the Duty of their respective Offices, in not using their Endeavours to suppress the Rioters on the Applications to them made for that Purpose.

Resolved, That it is the undoubted Right of the Representatives of the Freemen of this Province, as the Grand Inquest of the same, to enquire into any such Riots or other great Disorders which are committed in the said Province, and shall affect the Publick Peace, as often as they shall think it necessary.

Resolved, That it is also the undoubted Right of the Representatives of the Freemen aforesaid, as the Common Council of the said Province, whenever they shall think it fitting, to offer their Advice to the Governor touching the Manner in which Offenders ought to be prosecuted, as they shall judge most expedient for the Benefit of the Publick.

Resolved, That the said Remonstrants, assuming to themselves the Power of censuring the Proceedings of the Representatives of the Freemen aforesaid on the said Riot, and the Charge of prejudging in that Affair, is an unjust and groundless Aspersion, a high Breach of their Privileges, and an Invasion of the Liberties of the Freemen of the Province.

Resolved, That the several Examinations taken touching the Riot aforesaid, be printed together with the Minutes.

The House resumed the Consideration of the Report of the Committee of the Publick Accounts, and approved the same; and it follows in these Words, *viz.*

We the COMMITTEE *appointed by Order of* ASSEMBLY *to settle the Accounts of the* GENERAL LOAN-OFFICE of the Province *of* Pennsylvania, *Report*,

THAT upon a careful Examination of all the Mortgage Deeds, taken by Virtue of all the Acts of Assembly for emitting Paper-bills, and now remaining in the Loan-Office undischarged, we find there are principal Sums or Quota"s thereon to become due and payable to the Trustees, the Sum of	£	50972	16	8
Carried over,	£	50972	16	8
Brought over,	£	50972	16	8

That a List of twelve Mortgage, Deeds has been taken on several Emissions, by Virtue of the *Eighty Thousand Pounds* Act, but the Mortgage Deeds not compleated till this Year,	£	1366	10	0	
And that Ninety-seven Mortgage Deeds have been taken since last Settlement, Part on the third, and Part on the Fourth Reemission of the *Eighty Thousand Pounds* Act, as *per List*,		6146	10	0	
					£ 7513 0 0
That there are Quota's outstanding, and now due on all the said Mortgage Deeds, as by a List exhibited by the Trustees to the Committee, and by them examined amounting to the Sum of		15470	16	3	
That several Sums lent the Publick, to be repaid into the Trustees Hands, are still outstanding, *viz.*					
The whole Sum appropriated by the second *Thirty Thousand Pounds* Act, for building the Statehouse	£	2000	0	0	
Part of the Sum lent the Mayor and Corporation by the first *Thirty Thousand Pounds* Act,—		156	0	0	
Part of the Sum lent the City of *Philadelphia* for building an Alms-house,—		750	0	0	

Part of the Sum put into the Provincial Treasurer's Hands, ————		200	0	0	£ 3106	0 0
					£ 77062	12 11
Balance in the Trustees Hands, ————					2937	7 1
Makes the whole Sum current in this Province, ————					£ 80000	0 0
That the Trustees, upon the Account of Interest, charge the Province with last Year's Ballance, settled by the Committee, *August* 19, 1742, ————	£	2196	19	1½		
And with the Interest outstanding on all the Mortgage Deeds now remaining in the Office, amounting as *per* List, to————		5822	5	2¾		
And for sundry Orders paid Assemblymens Wages,——		299	0	6		
Paid *Benjamin Franklin*, in Discharge of his Order for Printing, ————		211	0	0		
Paid *Thomas Leech*, towards finishing the Statehouse,		300	0	0		
Paid the Trustees Salary for the current Year,——		550	0	0		
Paid the Proprietary's Receiver General, in Pursuance of an Act of Assembly		130	0	0		
Paid the Governor by Order of Assembly, ————		500	0	0		
To an Allowance due by Law to *Charles Brockden* for One Hundred and One Mortgage Deeds. ————		101	1	0		

To a Loss on the Sale of *Samuel Baker's* land, ——		3	5	7	
To *Edward Farmer*, allowed him on his Mortgage, by Order of Assembly, for Lime delivered the late Superintendant for the Use of the State-house,		98	5	0	
To Cash paid *Abraham Emitt*, for a Servant, by Order of Assembly, ———		3	13	7	
To Ditto paid *Samuel Kirk*, for Wood for the Use of the Assembly, ———		4	16	0	
					£ 10220 4 11¾
That the Trustees credit the Province, *viz.*					
By Interest outstanding at the last Settlement,———	£	5770	18	8¼	
By Interest arising on all the Mortgage Deeds the current Year, ———		3031	5	7	
By broken Interest received this Year, ———		933	10	6¾	
	£	9735	14	10	
Ballance due to the Trustees, for which they must have Credit in their next Account, ———		484	10	1¾	
					£ 10220 4 11¾

We the COMMITTEE *appointed by Order of* ASSEMBLY, *To audit and settle the* PUBLICK ACCOUNTS, *Report*,

THAT we have examined the Provincial Treasurer's Account, and find that he credits the Province for the several Articles, *viz.*

By the Ballance of the last Year's Account settled with the Committee, ——	£	734	18	7½

By Cash received of *Joseph Wharton*, Collector of Excise for the City and County of *Philadelphia*, since last Settlement, —	2002	6	1	
By Ditto received of *Thomas Cummings*, Collector of Ditto for *Chester County*,	234	13	0	
By Ditto received of *William Atkinson*, Collector of Ditto for *Bucks* County,—	101	0	0	
By Ditto received of *James Mitchell*, Collector of Ditto for *Lancaster* County, —	60	18	0	
By *Indian* Treaties, in the Year 1733, an Article in that Account in Favour of the Province, ——	2	6	4	
				£ 3136 2 0½

That the Treasurer charges the Province with the following Articles, *viz.*

To Cash paid sundry Persons, the Ballance of their Accounts against the State-house, in the Time of the late Superintendant,	52	7	0	
Superintendant,				
To Ditto paid sundry Orders of Assembly for incidental Charges of Government, the Orders being produced and examined by the Committee. ——	142	4	2	
To Ditto paid *Jeremiah Langhorne's* Order for his last Year's Sallary as Chief Judge of the Supreme Court, ——	100	0	0	

To Ditto paid *Thomas Griffiths*, one of the Provincial Judges,		50	0	0		
To Ditto paid *Thomas Graeme*, another of the Provincial Judges,		50	0	0		
To Ditto paid *Wight Massey*, for a Servant, by Order of Assembly,		11	14	4½		
To Ditto paid *James M'Clure*, for a Servant, per Ditto,		3	17	6		
To Ditto paid *Lloyd Zachary*, for visiting sickly Vessels,		25	0	0		
To Ditto paid *Thomas Bond*, for Ditto,		5	10	0		
To Ditto paid *James Armstrong*, by Order of Assembly,		15	0	0		
To Ditto paid for *Indian* Treaties, for a Present and Entertainment,		485	16	3		
To an Order of Assembly paid *John Kinsey*, for Half a Year's Sallary as Attorney General,	£	50	0	0		
To Ditto paid Ditto, for revising the Laws, drawing Bills, *&c.*		70	0	0		
					120	0 0
Carried over,					£1061	9 3½
Brought over,					£1061	9 3½
To Cash paid *James Murphy*, sent Express to Maryland,					5	0 0

To Ditto paid *Richard Peters*, for *Conrad Weiser* sent on a Message to the *Indians* on the Report of the Disturbance in *Virginia*,	£	6	10	0
To Ditto paid *Conrad Weiser*, for his own *Shakalamy*, and two *Indians* Journey to the *Six Nations*,	25	14	6	
		32	4	6
To Ditto paid *James Morris*, and *Joseph Trotter*, &c. Trustees of the Province-Island, by Order of Assembly,		125	0	0
To Ditto paid *John Kinsey* an Order for *Two Hundred Pounds Sterling*, to be remitted to the Agent by the Commitee of Correspondence,		320	0	0
To Ditto paid *John Kinsey* for the Agent's Salary, *One Hundred Pounds Sterling*, *per* Order of Assembly,		155	0	0
To Ditto paid the Assembly's Order to the Governor,		1000	0	0
	£	2698	13	9½
His Commissions on *Two Thousand Six Hundred* and *Ninety-eight Pounds*, *Thirteen Shillings*, and *Nine-pence Halfpenny*, at *Five per Cent*,		134	18	8
	£	2833	12	5½

The Ballance in the Treasurer's Hand, remaining due to the Province,	302 9 7	
		£ 3136 2 0½
That we have examined the Accounts of *Joseph Wharton*, Collector of Excise for the City and County of *Philadelphia*, and find that he charges the Province with so much paid into the Hands of the Treasurer before the last Settlement with the Committee towards the ensuing year,	£ 327 12 5	
And Cash paid into the Hands of the Treasurer this Year,	2002 6 1	
And his Commissions on *Sixteen Hundred* and *Seventy-two Pounds, Nine Shillings*, and *Six-pence*, at *Seven* and *a Half per Cent*,	125 8 8	
		£ 2455 7 2
That he credits the Province with the whole Amount of the Excise, from *September* 1, 1741, to *September* 1, 1742, the current Year, being unsettled, as not yet expired,	1672 9 6	
Which leaves a Ballance of *Seven Hundred* and *Eighty-Pounds, Seventeen Shillings*, and *Eight-pence*, for which he must have Credit towards the current Year's Excise by the succeeding Committee,		£ 782 17 8

That we have examined the Account of *William Atkinson*, Collector of Excise for the County of *Bucks*, and find that he is indebted for the Ballance of last Year's Account settled with the Committee. ————	£ 198 8 8		
And the whole Amount of Entries from *August* 17, 1742, to *July* 27, 1743, —	121 10 5		
		£ 319 19 1	
And that he hath paid the Treasurer since last Settlement, ————	£ 101 0 0		
By an Allowance to *Joseph Armstrong* for Liquor entered, but not retail'd in the County, ————	1 11 0		
By his Commissions on £101, at *Ten per Cent.*	10 2 0		
Ballance due to the Province,	207 6 1		
		£ 319 19 1	
That we have likewise examined the Accounts of *Thomas Cummings*, Collector of Excise for the County of *Chester* and find that he is indebted for the Ballance of last Account settled with the Committee, ————	£ 389 4 2		
And the whole Amount of Entries from *August* 1, 1742, to *July* 29, 1743, —	233 11 0		
And a Fine received from *William Hall*, ————	2 10 0		
		£ 625 5 2	

From which he discharges himself,

By Cash paid the Provincial Treasurer since last Settlement,	£	234	13	0		
By his Commissions on the above Sum, at *Ten per Cent.*		23	9	3½		
Ballance due to the Province,		367	2	10½		
					£ 625	5 2
The Collector for *Lancaster* County did not appear, nor exhibit any Account, but the Provincial Treasurer gives Credit for Cash received of him since the last Year,					£ 60	18 0
We do further report, That we have sunk and destroyed of the old Bills of the several Emissions, pursuant to the Direction of the *Eighty Thousand Pounds* Act, the Sum of	£	3494	6	6		
And sunk by former Committees,		54964	5	6		
	£	58451	12	0		
So that there remains to sink to compleat all the Bills of the several Emissions before the *Eighty Thousand Pounds* Act, —		10431	3	0		
	£	68889	15	0		

Submitted to the Correction of the House, August 1, 1743.

ISAAC NORRIS,
THOMAS LEECH,
ABRAHAM CHAPMAN,
JOSEPH HARVEY,
JAMES MORRIS,

An Account from *Thomas Ellis*, of Work done at the State-house, by Order of the late Superintendant, was laid before the House, and referred to the present Superintendants to enquire into the several Articles thereof.

Resolved, That *One Hundred Pounds Sterling* be remitted by the Committee of Correspondence to the Agent, to remain in his Hands, for defraying the Expence of negotiating the Affairs of this Province in *Great-Britain*.

Resolved, That *Sixty Pounds* be allowed the Speaker for his Service in drawing Bills, *&c.* then the House adjourned for Half an Hour.

The House met, *&c.*

And the Orders for Payment of Salaries, Assemblymens Wages, and other incidental Charges and Allowances made by the House, being prepared, were signed by the Speaker by Order of the House.

Ordered, That one of the Law-books be sent to the Agent for Mr. Chancellor of the Exchequer: then the House adjourned to the Thirtieth of *September* next.

INCIDENTAL CHARGES

To *Thomas Graeme*, Eq; one of the Judges of the Supreme Court, his Salary,	£ 50	0	0
To *Thomas Griffitts*, Esq: another of the Judges of the same Court, to the Time of his Resignation, Half a Year's Salary,	25	0	0
To *John Kinsey*, Esq; Chief Judge, Half a Year's Salary,	50	0	0
To *William Till*, Esq; one of the Judges, Half a Year's Salary,	25	0	0
Carried over,	£ 150	0	0
Brought over,	£ 150	0	0
To *Richard Patridge*, Esq; his Salary as Agent £ 100 *Sterling*,	165	0	0
To the Speaker, for drawing of Bills, *&c.*	60	0	0
To the Members of Assembly, for their Attendance and Service in the House, the whole Amount,	388	6	0

To *Isaac Norris*, for his Attendance on the Committee of Accounts, and sinking Paper-Money. 18 Days, at *Five Shillings per* Day,	4	10	0
To *Thomas Leech*, for Ditto, 18 Days,	4	10	0
To *Abraham Chapman*, for Ditto, 14 Days,	3	10	0
To *James Morris*, for Ditto, 18 Days,	4	10	0
To *Joseph Harvey*, for Ditto, 6 Days,	1	10	0
To *Thomas Jackman*, for Ditto, 16 Days,	4	0	0
To *Charles Brockden*, Esq; Master of the Rolls, for Recording,	6	17	0
To Doctor *Lloyd Zachary*, and Doctor *Thomas Bond*, for visiting sickly Vessels, before the Law took Place,	16	0	0
To Doctor *Thomas Bond*, for Ditto,	1	10	0
To *Benjamin Franklin*, as Clerk of the House, and for printing Votes, *&c.*	154	6	4
To *Samuel Kirk*, for his Salary as Serjeant,	8	0	0
To *Patrick Baird*, late Secretary, for Salary and extraordinary Trouble respecting *Indian* Treaties, the House allows,	39	4	6
To *Thomas Burden*, as Door-keeper to the House, and for waiting on the Committee, 72 Days, at *Four Shillings* per Day, and for a Lanthern for the House, *Five Shillings*, and cutting and piling Wood, and for Candles, *One Pound Two Shillings, and Eight-pence*,	15	15	8
To *Charles Stow*, for summoning 25 Councils, at 2*s.* 6*d.* each,	3	2	6
To *Richard Patridge*, Esq; for defraying the Expenses of his Negotiations,	165	0	0
	£1195	12	0

At an ASSEMBLY *held in* PHILADELPHIA, *the Fourteenth Day of* OCTOBER, ANNO DOMINI, 1743.

By the Return of the Sheriffs of the respective Counties, it appears that the following Gentlemen were chosen on the first of this Instant, to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania*, for the Year ensuing, *viz.*

Philadelphia *County.*	Bucks *County.*	Chester *County.*
John Kinsey,	*Mahlon Kirkbride,*	*Jeremiah Starr,*
Isaac Norris,	*John Watson,*	*James Gibbons,*
Thomas Leech,	*Abraham Chapman.*	*Thomas Chandler,*
Edward Warner,	*John Hall,*	*Joseph Harvey,*
James Morris,	*Mark Watson,*	*Samuel Levis,*
Joseph Trotter,	*Benjamin Field,*	*Joseph Pennock,*
Owen Evans,	*Garrat Vansant,*	*George Ashbridge,*
Robert Jones,	*Joseph Shaw,*	junior,
		Francis Yarnal.

Philadelphia *City.*	Lancaster *County.*	
Israel Pemberton,	*Anthony Shaw,*	*Thomas Linley,*
} Burgesses.		
Oswald Peele, ...	*Arthur Patterson,*	*John Wright.*

AND a Quorum being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker; and *John Kinsey,* Esq; was chosen by a great Majority of Voices, a Speaker of this Assembly, and was accordingly placed in the Chair.

Ordered, That *Thomas Leech, Israel Pemberton, John Watson, Jeremiah Starr,* and *Anthony Shaw,* wait upon the Governor, and acquaint him, that the Representatives are met, in Pursuance of the Charter of Privileges and Laws of the Province, and have chosen their Speaker, and desire to know when the Governor will be pleased to receive the House, that they may present their Speaker.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order: and that the Governor was pleased to say, he would call his Council in the Morning, and acquaint the House by a Message at what Time he would receive them; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

A Message from the Governor, by his Secretary, that he expects the Attendance of the House at Twelve a Clock.

Then the Speaker, with the whole House, waited upon the Governor.

And being returned, the Speaker resumed the Chair, and reported, That the House had waited on the Governor, and presented their Speaker; and that the Governor was pleased to say, 'He did not doubt but that the Speaker would be-

have himself so as to merit the Assembly's Choice and his Approbation; and trusted that all the Gentlemen of the House would so conduct themselves as to establish the good Agreement that was now begun between the several Branches of the Legislature.'

That the Speaker had thereupon proceeded to make the usual Claim of Privileges, *viz.*

That the House, during the Time of their Sitting in Assembly, may enjoy Freedom of Speech in all their Propositions and Debates: That the better to discharge the Business of the Publick, they may at all Seasonable Times have free Access to the Governor: That their Persons and Estates may be protected from all Arrests and Molestations during the Time of Privelege accustomed: That the Governor would be pleased not to hearken to any Report that may be made to him touching any Matter debated in the House, until such Time as it shall have passed into a Resolve; nor give any Credit to such Report: That if the Speaker, in reporting any Thing to the Governor as the Sense of the House, chance to be mistaken, such Mistake may not be imputed to the House; but that he may have Liberty to resort to them for their true Intent and Meaning: and that the Mistake be excused.

All which the Speaker had requested as the just Rights and Privileges of the People of *Pennsylvania*, derived and confirmed to them by their Charter of Privileges, and the Laws of this Province. And that the Governor was pleased to answer, They should inviolably be preserved to the House as long as he was in the Administration of the Government.

Then the Qualification by Law directed was taken and subscribed, first by the Speaker in the Chair, and afterwards at the Table by all the rest of the Members in their Order.

Resolved, That *Benjamin Franklin* be Clerk to this House for the ensuing Year.

And he accordingly took and subscribed the usual Qualification of a Clerk.

Resolved, That *Samuel Kirk* be Serjeant at Arms to this House for the ensuing Year.

Resolved, That *Thomas Burden* be Door-keeper to this House for the ensuing Year.

Resolved, That *Richard Patridge*, Esq; be continued Agent of this Province, at the Court of *Great-Britain*, for the ensuing Year.

Ordered, That *Isaac Norris*, *Thomas Leech*, and *Israel Pemberton*, be (with the Speaker) a Committee of Correspondence.

Ordered, That *Isaac Norris*, *Thomas Leech*, *James Morris*, *Abraham Chapman*, *Joseph Harvey*, and *Anthony Shaw*, be a Committee to audit and settle the Accounts of the General Loan-Office, and other Publick Accounts; and to sink and destroy the old Bills of Credit received in Exchange, pursuant to the last Paper-money Act: and they have Power to send for Persons, Papers and Records.

Ordered, That *Isaac Norris*, *James Morris*, *John Hall*, *Samuel Levis*, and *Anthony Shaw*, be a Committee of Aggrievances for the ensuing Year; and they have Power to send for Persons, Papers and Records.

Ordered, That *Thomas Leech*, *Isaac Norris*, and *Israel Pemberton*, be a Committee to revise the Minutes before they are printed.

A Motion was made, that as *Thomas Linley*, one of the Representatives chosen for the County of *Lancaster*, is deceased, an Order do issue under the Hand of the Speaker, directed to the Secretary of this Province for the Time being, requiring him to issue a Writ to the Sheriff of the said County for electing a new Representative to serve for that County in General Assembly the present Year.

And it was accordingly so ordered; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

A Petition from *Joseph Breintnall* of the City of *Philadelphia*, was presented to the House, and read, praying that if the Excise Act be renewed, and the present Officer not continued, the Petitioner may be appointed the Officer to execute the said Act. *Ordered to lie on the Table.*

A Petition from *Evan Morgan*, of the City of *Philadelphia*, Cooper, was presented to the House, and read, praying, that upon Renewal of the Excise Act, he may be appointed the Officer for executing the same. *Ordered to lie on the Table.*

Resolved, That the House will this Day adjourn to the Fourteenth Day of the next Month.

Ordered, That *Edward Warner* and *Joseph Trotter* wait upon the Governor, and acquaint him, that the House have some important Business before them, but considering that he is in a few Days to meet the Assembly of the Lower Counties at *New-Castle*, they propose the Day to adjourn

to the Fourteenth of the next Month, if he hath nothing at present to lay before them that mey require their longer Stay.

It was moved that the House would at this Time appoint a provincial Treasurer, in the Room of *Samuel Preston*, Esq; deceased; and, after some Time spent in the Consideration thereof, it was referred to the next Sitting.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor made no Objection to the proposed Time of Adjournment; then the House adjourned to the Fourteenth Day of *November* next.

THE House met pursuant to their Adjournment.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor, and acquaint him, that the House is met, according to their Adjournment; and that if the Governor hath any Thing to lay before them, they are ready to receive it.

The Speaker reported to the House, that in Pursuance of their Order of the Fifteenth past, he had issued an Order to the Secretary to make out a Writ for electing a new Representative for *Lancaster* County; and that a Writ was issued accordingly.

The Sheriff of *Lancaster County* attending, was called in, and delivered at the Table his Return on the Writ directed to him for the Choice of a new Representative for the said County, and then withdrew.

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same, according to Order; and that the Governor was pleased to say, he would send a Message to the House To-morrow Morning.

The Sheriff of *Lancaster's* Return was read; and it being moved that the same is of an uncommon Kind,

Ordered, That he attend in Town, and wait the Orders of this House; and that the Clerk give him Notice of this Order; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

Mahlon Kirkbride, a Representative for the County of *Bucks*, and *John Wright*, a Representative for the County of *Lancaster*, appeared in the House, and took and subscribed

the Qualification by Law appointed to be taken by Members of this House, and then took their Seats in the House accordingly.

The Sheriff of *Lancaster's* Return was again read; with the several Paragraphs of the Laws of this Province that relate to the Choice of Inspectors; and referred to further Consideration.

The Governor, by his Secretary, sent down a written Message, to the House, with the Papers referred to therein, which were read, and the Message follows in these words, *viz.*

"GENTLEMEN,

I TAKE the first Opportunity of laying before you a Letter, which I received by the *Hawk* Man of War, arrived Express at *Boston*, with Dispatches to the several Governors of his Majesty's Colonies on the Continent of *America*.

You will observe, that their Excellencies, 'The Lords Justices, having taken into Consideration the present uncertain State of publick Affairs, and the Danger that his Majesty's Dominions in *America* may be exposed to, from any sudden attempt that might be made upon them, in case a Rupture with *France* should ensue, in Consequence of the Steps which his Majesty has already taken in Support of the Queen of *Hungary* and the Common Cause, and the vigorous Measures which the King is pursuing in all Parts for the same End, unless timely Care be taken to put the same into a proper Posture of Defence,' have been pleased to direct, that I should employ the most effectual Means for putting the Colony under my Command into the best Posture of Defence that shall be possible, and that I should be constantly upon my Guard against any Surprize from any Quarter whatsoever.'

All that is now possible for me to do, is to issue a Proclamation, requiring the Inhabitants to prepare themselves in the best Manner they can, to repeal any Attack that may be made upon us; and to commission the best qualified to levy, muster and train them.

Upon you it Lies, to prepare a Bill for obliging them to appear well armed and accoutred at convenient stated Times, for their Instruction in Military Discipline, and whenever else it shall be necessary for the Defence of the Defence of the Province: And as the Disposition of the Publick Money is in you, it should be your Care likewise to provide a Stock of Arms and Ammunition, as well as to make some Provision for the Security of the Back Inhabitants against Inroads from the *French*

Indians, and of the this City, upon which the Trade of the whole Providence chiefly depends, against any Attempt that may be made upon it from the Sea.

November 14, 1743. GEORGE THOMAS.

A Petition from Joseph Wharton, present Collector of the Excise for the County of *Philadelphia*, praying, that if the Excise Act be revived, he may be continued the Officer for putting the same in Execution; was presented to the House, and read. *Ordered to lie on the Table.*

A Petition from *Joseph Gray*, of the City of *Philadelphia*, Inn-holder, was presented to the House and read, praying, that if the House think fit to change the present Collector of Excise for the City and County of *Philadelphia*, the Petitioner may be appointed in his Place. *Ordered to lie on the Table.* Then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

A Petition from *John Ryan*, now a Prisoner in the Goal of *Philadelphia*, setting forth the Losses and Misfortunes he hath lately met with by Fire and the Enemy, and the many Hardships he now suffereth in his Confinement through the Obduracy of *Thomas Campbell*, one of his Creditors; and praying that the House would take his Circumstances into Consideration, and provide for this Relief and Enlargment in such Manner as to their Wisdom shall seem meet; was presented to the House, and read. *Ordered to lie on the Table.*

A Petition from *Zechariah Butcher*, setting forth, that he hath a numerous Family, and is at present out of Business; and therefore praying that the House would put him in some Post of Profit, either Trustee of the Loan-Office, or Collector, of the Excise upon Liquors, one or both, or any other, as to them in their Wisdom shall seem meet; was presented to the House, and read, and *ordered to lie on the Table.*

The House resuming the Consideration of the Writ directed to the Sheriff of *Lancaster*, for electing a Representative for the said County in the Room of *Thomas Linley*, deceased; and also of the Indenture returned with the same Writ;

Resolved, That the said Sheriff's having assumed upon himself the Power of being sole Judge at the said Election, exclusive of the Inspectors chosen by the Freemen of the said County, is illegal, unwarrantable, and an Infringement of the Liberties of the Freemen of this Province: That it

gave just Cause for Discontent to the Inhabitants of the said County; and if any Disturbance followed thereupon, it is justly imputable to his own Misconduct.

Resolved, That the Indenture now returned by the said Sheriff, is unprecedented and uncertain, and that he ought to amend the same. And it is

Ordered, That the said Sheriff attend this House To-morrow Morning at Eleven of the Clock, to receive the Directions of the House herein, and at the same time to receive their Admonition and Reprimand from the Speaker for such his Misbehaviour; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Sheriff of *Lancaster* attending, according to the Order of the House, was called in, and admonished by the Speaker in the Words following, *viz.*

I am, by the Command of the House, to let thee know they very much disapprove thy Conduct at the last Election. It appears, by thy own Return, thou assumed the Power of being sole Judge at that Election, exclusive of Inspectors by the Freemen: This we look upon as a new and unprecedented Claim, an Infringement of the Rights of the People, and a manifest Violation of the Law.

By the Act, intituled, A Supplement to the Act for electing Members of Assembly, *passed the last Year, it is provided, that the Inspectors chosen in Pursuance thereof, should be Inspectors for the Year ensuing: But if no Provision had been made by this Act, as it repeals the Act of the Thirteenth of* GEORGE I. *intituled*, A Supplementary Act to the Act for ascertaining the Number of Members of Assembly, *it must of Course revive the Act of the Fourth of Queen* ANNE, *for regulating Elections, which expressly provides there shall be Inspectors, and that they are to be chosen by the Majority of the people. Therefore denying them this Choice was a Depriving them of their Right, and a Breach of thy Duty: And whatever Disturbances happened upon it, are justly imputable to this Misconduct.*

The Consequences that may happen in a Sheriff's Exercise of this Power, are very obvious, and equally dangerous. If they may receive what Votes they please, and reject such as they dislike, it must be often in their Power to return whom they list for Assemblymen.

As this Behaviour appears from thy own Return, and not from any Complaint and Proof made against thee, it may be supposed it was the Effect of Mistake, or ill Advice, and not Design. This Consideration has induced the House to be favourable in their Censure; and therefore they have only directed thou should be reprimanded for the Offence, and I do accordingly reprimand thee for the same; and it is to be hoped thy future Conduct will not give fresh Occasion of Complaint.

I am next, by Order of the House, to let thee know, that the Indenture returned, is both unprecedented and uncertain. If any Breaches of the Peace have happened, the Law has directed the Manner in which they are to be enquired into and determined; and when the Inhabitants conceive themselves aggrieved, either in the Manner of the Election or the Return, they have Right to apply to the House, and will have Justice done them: But for the Sheriff to return Facts of this Kind, is new, and would be attended with many and great Inconveniences; and therefore it is their Order, that the Return be amended.

Then the Sheriff acknowledged the Lenity of the Censure, and said, He was sorry he had been guilty of any Thing that should give the House any Trouble: That what he had done was without any ill Design; but that being himself unskill'd in the Law, he had taken the Advice of such as he thought skilful, and was thereby led into that mistaken Conduct: And that he would be more careful of his Behaviour for the future.

Then the Return being delivered to the Sheriff, in order to his amending the same, he was ordered to withdraw.

A Petition from *John Edwards*, of *Lancaster* County, was presented to the House, and read, praying to be nominated in the next Excise Act, Collector of that Duty for *Lancaster* County. *Ordered to lie on the Table.*

The Governor's Message was again read, and referred to further Consideration: then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Sheriff of *Lancaster* County attending, was called in, and delivered his Return amended, according to Order of the House; and the same being read, and approved, he was directed to deliver a Copy thereof, as amended, to the Governor, and was then discharged.

Samuel Blunston, chosen a Representative for the County of *Lancaster*, in the Room of *Thomas Linley*, deceased, as appears by the Return of the Sheriff of the said County upon the Writ to him directed for that Purpose, appeared in the House, and took and subscribed the Qualification by Law appointed to be taken by the Members of Assembly, and thereupon took his seat in the House.

The antient Rules of the House were read, and, with some Exceptions, agreed to; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The House took into Consideration the Necessity of appointing a Treasurer in the Room of *Samuel Preston*, Esq; deceased, and, after some Debate thereupon,

Resolved, That *Michael Lightfoot* be the Treasurer of this Province; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Petition of *John Ryan* was again read, and considered;

Ordered, That *Edward Warner*, *Oswald Peele*, *John Watson*, *Joseph Pennock*, and *Anthony Shaw*, be a Committee to enquire into the Truth of the Allegations in the said Petition, and the Circumstances of the Petitioner, and report what they think will be proper for the House to do thereon; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

Michael Lightfoot, Yesterday chosen Provincial Treasurer, attending, was called in, and acquainted therewith by the Speaker; and having declared his Willingness to accept the same, he was referred to the Laws for Information in the Duty of his Office, and then withdrew.

The House took into Consideration the Acts relating to the Appointment of Trustees of the General Loan-Office, and, after divers Propositions and Debates thereupon, the farther Consideration thereof was adjourned to the Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

It being moved to the House, that some Person unknown had fired a Gun, charged with Shot, at the Door of the State-house, while the House was sitting, it was

Ordered, That the Speaker issue his Warrant to the Serjeant at Arms, to enquire after, and take into Custody, the Person who committed the said Insult.

The Speaker informed the House, that many of the Bills of Credit of this Province last emitted, and which were lately paid to him as one of the Trustees of the General Loan-Office, were much torn and defaced; that divers Applications had been made to him for exchanging like Bills; but as no Provision is made by Law for such Exchanging, and as all the Bills so paid into the Office are again to be issued either on Loan or otherwise, and many of them unfit to be passed, he proposed to the Consideration of the House, whether it be not necessary new Bills be provided for the Purposes aforesaid.

After Consideration had of the said Proposal, and resuming the Debate, concerning the new Appointment of Trustees for the General Loan-Office aforesaid, it was

Resolved, That a Bill be brought in for printing and emitting a Sum in new Bills of Credit, to exchange and sink the torn and defaced Bills aforesaid; and for a new Appointment of Trustees of the General Loan-Office aforesaid, for that and other Services enjoined by former Acts of Assembly; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

Resolved, That *Thomas Leech*, *Robert Jones*, *Joseph Pennock*, *John Watson*, and *Arthur Patterson*, be a Committee to prepare and bring in a Bill for the Purposes mentioned in the Resolve of Yesternight; then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met pursuant to their Adjournment.

Richard Hall, the Person who fired the Gun at the State-house Door, was brought before the House; and the Facts appearing upon Examinations to be done ignorantly, he was reprimanded, and then discharged; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

A Petition from sundry Inhabitants of the City of *Philadelphia* was presented to the House, and read, setting forth, that the Distempers of late Years brought into the Province from Abroad, have been, as the Petitioners conceive, in a great Measure owing to the Commanders of Ships, that make it their Business to bring Passengers, not having a due Regard to the Number that they ought to take into their Vessels, with respect to the Tonage; but through a Desire of making a large Freight, crowd in so many more

than there ought to be, as occasions the Distempers which arise among them, or which they bring on board with them (and which, had they due Room and Air, might otherwise pass off) to increase, spread, and become infectious, so as has occasioned the lamentable Death of great Numbers of them, and also of several of the Inhabitants of this Province; and therefore praying that the House would provide such effectual Remedy to the said Evil, as to their Wisdom shall seem meet. *Ordered to lie on the Table.*

The Committee, according to Order, brought in a Bill for the new Appointment of Trustees of the General Loan-Office of *Pennsylvania*, and for making current *Ten Thousand Pounds* in new Bills of Credit, to exchange such of those now by Law current as are torn and defaced, was read the first Time, and ordered a Second Reading; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

A Petition from *John Owen*, of the County of *Chester*, was presented to the House, and read, praying, that if the Excise Act be renewed, he may be appointed the Officer for putting the same in Execution in the said County. *Ordered to lie on the Table.*

Ordered, That *Isaac Norris*, *Thomas Leech*, *Edward Warner*, *Mark Watson*, *Joseph Pennock*, and *Anthony Shaw*, be a Committee to prepare and bring in a Bill for laying an Excise on all Wine, Rum, Brandy and other Spirits, retailed within this Province: then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Bill for the new Appointment of Trustees, *&c.* was read a second Time by Paragraphs, and considered, and the further Consideration thereof adjourned to the Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House proceeded in the Reading and Consideration of the Bill for the new Appointment of Trustees, *&c.* and, after some Time spent therein, the farther Consideration thereof was adjourned to To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The House proceeded in the Reading and Consideration of the new Appointment of Trustees, *&c*, and, after sundry De-

bates, the farther Consideration thereof was adjourned to the Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House proceeded in the Reading and Consideration of the Bill for the new Appointment of Trustees, *&c.*

And a Motion being made, that a Clause be inserted to disable the Trustees of the Loan-Office from being chosen Representatives to serve in Assembly during their Continuance in that Trust: The Question, after some Debate, was accordingly put, and *passed in the Negative.*

Ordered, That Candles be brought in.

And they were brought in accordingly.

Resolved, That *John Kinsey* be nominated in the present Bill of the Trustees of the General Loan-Office.

Resolved, That *Thomas Leech* be one of the Trustees nominated in the present Bill.

Resolved, That *John Watson* be one of the Trustees nominated in the present Bill.

Resolved, That *Thomas Chandler* be one of the Trustees nominated in the present Bill.

Resolved, That *John Wright* be one of the Trustees nominated in the present Bill.

Resolved, That *Thomas Griffitts* be one of the Signers of the Bills to be made current by this present Act.

Resolved, That *Abraham Chapman* be one of the Signers nominated in the present Bill.

Resolved, That *Peter Lloyd* be one of the Signers nominated in the present Bill.

Ordered, That the Bill be ingrossed; and then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

A Petition from *Thomas Peters*, of the City of *Philadelphia*, was presented to the House, and read, praying, that if the Excise Act be revived, he may be appointed the Officer for putting the same in Execution. *Ordered to lie on the Table.* Then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The ingrossed Bill for the new Appointment of Trustees of the General Loan-Office, *&c.* was read the third Time;

Resolved, That the Bill do pass.

Ordered, That *John Hall* and *Samuel Levis* carry up the said Bill to the Governor for his Concurrence.

The Gentlemen return, and report, that they waited upon the Governor, and delivered him the Bill, according to Order; and that the Governor was pleased to say, he would consider it, and give it all the Dispatch he could.

A Bill for laying on Excise on Wine, Rum, Brandy and other Spirits, was read the first Time, and ordered a second Reading; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

A Petition from *Thomas Campbell*, of the City of *Philadelphia*, praying, for the Reasons therein contained, that the House would not interpose in the Affair between the Petitioner and *John Ryan;* was presented to the House, and read; referred to the Committee appointed to enquire into the Merits of the said *Ryan's* Petition, who are to consider the same, and report thereupon to the House; then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met, and adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

A Petition from *James Read* was presented to the House, and read, praying to be appointed Collector of the Excise for the County of *Philadelphia*, in the Bill now before the House. *Ordered to lie on the Table.*

The Bill for laying an Excise on Wine, Rum, Brandy and other Spirits, was read a second Time, and considered, and the farther Consideration thereof adjourned to the Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

A Plan for the Finishing the Court-room of the State-house, and the Piazza's between the chief Building and the Offices, was laid before the House, and approved of; and the Superintendants of the Building were directed to go on to finish the same accordingly, with all convenient Expedition.

The House proceeded in the Reading and Consideration of the Bill for laying an Excise on Wine, Rum, Brandy and other Spirits, and, after sundry Propositions and Debates, the farther Consideration thereof was adjourned to To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, &c.

A Petition from *William Atkinson*, of *Bucks* County, was presented to the House, and read, praying to be continued Collector of the Excise for the said County. *Ordered to lie on the Table.*

A Petition from a Number of Inhabitants of *Chester* County, praying Relief in sundry Hardships they suffer by the Flour Act, as set forth in the said Petition, was presented to the House, and read, *Ordered to lie on the Table.*

Another Petition from sundry Inhabitants of *Chester* County, praying that the Fine of *One Shilling per* Cask on unmerchantable Flour may be taken off, and that the Officer for inspecting and branding Flour may be changed, and annually chosen: was presented to the House, and read, *Ordered to lie on the Table.*

The House resumed the Reading and Consideration of the Excise Bill, and, after sundry Debates, adjourned the farther Consideration thereof to the Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, &c.

The House proceeded in the Reading and Consideration of the Bill for laying an Excise on Wine, Rum, Brandy and other Spirits: and, after some Debate, it was committed to the Committee that brought in the same for Amendment.

Ordered, That *James Gibbons* and *Jeremiah Starr* wait upon the Governor, and acquaint him, that the House desires to know when they may expect his Result on the Bill some Time since presented to him for his Concurrence; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, &c.

The Gentlemen appointed Yesternight to wait on the Governor with the Message of the House, report, that they delivered the same, according to Order; and that the Governor was pleased to say, he had the Bill before him.

The Replication of *John Ryan* to *Thomas Campbell's* Petition, with several Papers and Affidavits thereunto annexed, were laid before the House, and read.

The Governor's Message was again read, and considered, and referred to further Consideration: then the House adjourned to Three a Clock in the Afternoon.

The House met, &c.

A Petition from *Samuel Smith*, late Sheriff of the County of *Lancaster*, was presented to the House, and read, setting

forth, that during his being Sheriff of the said County, Orders were issued from the Trustees of the General Loan-Office, to make Sale of the Plantation and Land of *Joseph Jarvis*, for Default of Payment of his Quota's; that the same being under the Management of *Francis Sharrard*, Attorney at Law, by the Direction of the Trustees, the said Sheriff did accordingly levy Execution on, and make Sale of the said Land; and that *Twenty Pounds*, Part of the whole Sum, was then received and paid into the Hands of said *Francis Sharrard*, and Receipt from him taken, to pay the said Sum into the General Loan-Office; which Sum of *Twenty Pounds* appears never to have been paid by said Sharrard: for want of which Sum, the said *Jarvis's* Mortgage Deed is still retained in the Loan-Office, and therefore the said Sheriff is unable to make a Title as prescribed by Law to the Purchaser: Praying that the House would take the Affair into their Consideration; and since *Sharrard* is dead, and has left no Effects, they will be pleased to acquit the Petitioner of the said Sum, and give Orders to the Trustees of the Loan-Office to deliver up the said Mortgage Deed, that he may be enabled to make a Title to the Purchaser of the said Premises.

Ordered, That the Committee of Accounts enquire into the Facts set forth in the Petition, and report their Opinion what may be proper for the House to do thereon.

The Committee appointed to enquire into the Merits of *John Ryan's* Petition, made their Report thereupon in Writing, which was read, and follows in these words, *viz.*

PURSUANT to the Order of the House, we have taken into our Consideration the Petition of *John Ryan*, the Answer of *Thomas Campbell*, and the Petitioner's Reply; together with the Proofs and Allegations of both the said Parties touching the Matters to us referred: and on the Whole do unanimously agree to report it as our Opinion, that it will not be advisable for the House to prepare a Bill in order to be past into a Law for the Enlargement of the said Petitioner, and thereby depriving his Creditors of the Benefit which they conceive themselves intitled to by Law. But it is nevertheless submitted to the Judgment of the House, by

Philadelphia, December 1.1743.

EDWARD WARNER, JOSEPH PENNOCK,
OSWALD PEELE, ANTHONY SHAW.
JOHN WATSON,

And the Question being put, that Leave be given to bring in a Bill pursuant to the Prayer of the Petition of the said *Ryan? It passed in the Negative;* and then the House adjourned to Ten a Clock To-morrow Morning.

The House met, &c.

Ordered, That *Samuel Levis*, and *Mark Watson*, wait upon the Governor, and acquaint him, that the House are desirous of being inform'd whether he has yet come to any Result upon the Bill which lies before him.

The Gentlemen return, and report, that they had waited upon the Governor, and delivered the Message of the House, according to Order: and that the Governor was pleased to say, he had it under Consideration; then the House adjourned to Three a Clock in the Afternoon.

The House met, &c.

A farther Petition from *John Ryan*, praying that the House would order Provision to be made for the Support of the Petitioner and his Family until he shall be enlarged, &c. was presented to the House, and read; and the Petitioner is referred to the Overseers of the Poor; and then the House adjourned to Ten a Clock To-morrow Morning.

The House met, &c.

Ordered, That *Benjamin Field* and *Joseph Pennock* wait upon the Governor with the following Message, *viz.*

May it please the GOVERNOR,

THE Bill for the new Appointment of Trustees, &c. *has now lain a considerable Time before the Governor; and if there be no other Objections against its being past into a Law, but such as arise merely from the Bill, we are persuaded the Governor is by this Time sufficiently determined in the Affair, and we shall be glad to have his Results. If the Difficulties do not arise from the Bill, but some other Cause, we are desirous he would be pleased to communicate them to us, that we may be able to judge whether they are such as are in our Power to remove, and what Part it will become us to act therein. The Bill appears to us both useful and necessary, and all such we are willing to hope may readily obtain the Governor's Assent: And he may be assured, we shall as readily and chearfully demonstrate our Gratitude, by making an honourable Provision for his Support.*

Signed, by Order of the House,

JOHN KINSEY, *Speaker*.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, he would consider it.

The Governor's Message to the House was again read, and considered;

Ordered, That *Isaac Norris*, *Israel Pemberton*, *Abraham Chapman*, *Joseph Pennock*, and *Samuel Blunston*, be a Committee to prepare a Draught of an Answer to the same, and that they report it to the House; then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met pursuant to their Adjournment, and adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'AS I have not taken upon me to limit any Assembly, to a Time for their Consultations on Matters recommended either of myself, or by the Direction of the highest Authority, I have the more Right to expect a like Freedom from you. I think myself likewise at Liberty to give Reasons, or not, as I shall think fit, for my Approbation or Disapprobation of any Bills that have been, or shall be laid before me. In due Time, however, I may, perhaps, send you my Observations upon, or Amendments to, that "For the new Appointment of Trustees of the General Loan-Office of *Pennsylvania*, and for making current *Ten Thousand Pounds* in new Bills of Credit, to exchange such of those now by Law current as are torn and defaced." I am highly obliged to you for the Assurance you have been pleased to give me of making an honourable Provision for my Support; but an Expression so general, is liable to different Constructions: Some may think that an honourable Support, which in my Opinion it may be dishonourable for me to accept: There is a Justice due from the Publick to me under my present Character, as well as a Justice due from me to the Publick. I am thoroughly disposed to discharge my Duty; and I promise myself, that you will be as willing to put the finishing Hand to the good Work that was begun last Year; so that being free from all Differences amongst ourselves, we may be the more at Liberty to attend to the Publick Interests in a Conjuncture so critical.'

December 6, 1743. GEORGE THOMAS.

The above Message was again read, and considered, and the farther Consideration thereof adjourned to the Afternoon.

The Petition from a Number of Inhabitants of *Philadelphia County*, relating to the Distempers brought into this Province, *&c.* was again read, and referred to further Consideration; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Gentlemen appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read by Order, and the farther Consideration thereof adjourned to To-morrow Morning.

The Governor's Message of this Morning was again read and considered, and the farther Consideration thereof adjourned to To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Answer to the Governor's Message of the Fifteenth past, was again read, and considered, and ordered to be transcribed, that it may be sent up to the Governor.

And the same being transcribed, was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

We have taken into our serious Consideration the Message the Governor was lately pleased to send us, with the Lords Justices Letter, in which we observe, "The uncertain State of publick Affairs, and the Danger that his Majesty's Dominions in America *may be exposed to, from any sudden Attempt that might be made in case of a Rupture with* France." *are the principal Inducements to the Commands their Lordships were pleased to give; but since, by the latest Accounts we have received, no such Rupture hath hitherto happened, and a War with* France *is supposed to be less likely at this Time than at the Date of their Lordships Letter, we apprehend there is no immediate Danger; and that the State of publick Affairs may yet take a more favourable Turn, restore the Blessing of Peace to* Europe, *and continue it to us. However this may be, we think ourselves indispensibly obliged with Gratitude to acknowledge this Instance of their Lordships Tenderness and Care for these remote Parts of the* British *Dominions; and we shall be ready to give such Proofs of the Sincerity of our Profession of our Loyalty to our King, and our Duty to their Lordships, when Occasion shall require, as we hope will be ac-*

ceptable. With like grateful Sentiments we observe the Concern which appears in the Governor's Message for the Safety of the People of this Province; and yet it will be much more agreeable to us, the Storm which threatened should wholly blow over, that the Governor might receive our Thanks for his good Intentions, rather than for his putting in Execution the Means he is pleased to propose for our Security.

Signed by Order of the House,
JOHN KINSEY, *Speaker.*

Ordered, That *Mahlon Kirkbride* and *Joseph Harvey* wait upon the Governor with the same.

The Governor's last Message was again read, and considered, and the farther Consideration thereof adjourned to the Afternoon.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Governor's Message was again read, and considered, and the farther Consideration thereof adjourned to To-morrow Morning.

The House met, *&c.*

It being moved, that the House do this Day adjourn itself to the last *Second Day* in the *Eleventh Month* next; the Question was put, and *past in the Negative.*

Resolved, That the House will adjourn to the Seventh Day of the *Third Month* next.

Ordered, That *Isaac Norris* and *Edward Warner* wait upon the Governor, and acquaint him, that since by his last Message it appears he was not come to any Resolution upon the Bill before him, the House proposes to adjourn to the Seventh Day of the next *Third Month*, unless he hath any Thing to lay before them that may require their longer Stay.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor made no Objection to the proposed Time of Adjournment.

A Petition from *Martin Reardon*, praying some Allowance for a Servant that was carried away among the Soldiers to the *West-Indies*, was presented to the House, and read, and referred to the Committee of Grievances.

It being moved to the House, that by the Account exhibited by the several Collectors of Excise, it appears there remains in their Hands considerable Arrears, which ought by Law to have been paid into the Hands of the late Provincial Treasurer, it was thereupon

Ordered, That the present Provincial Treasurer take the necessary Care to compel the Payment of those Arrears, and such other Sums of publick Money as ought by Law to be paid to him; the said Treasurer first giving Bond, with one or more sufficient Sureties, in the like Sum and Manner as hath been heretofore usual, with Condition under written for the due Discharge of the Trust reposed in him; and it is further

Ordered, That the Clerk of this House do serve the said Provincial Treasurer with the Order aforesaid; and then the House adjourned to the Seventh Day of the next *Third Month*.

THE House met pursuant to their Adjournment.

Ordered, That *Edward Warner* and *Joseph Trotter* wait upon the Governor, and acquaint him, that the House is met pursuant to their Adjournment; and are ready to receive any Thing he may have to communicate to them.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, he was ready to receive any Thing the House might have to lay before him; then the House adjourned to Ten a Clock Tomorrow Morning.

The House met, *&c.*

Ordered, That *Samuel Levis*, and *Mark Watson*, wait upon the Governor, and acquaint him, that the House is desirous of being informed whether he is yet come to any Result on the Bill that lies before him; and that, if he inclines to pass it, there will be a Necessity of an Amendment in regard to the Time appointed for the Commencement of the Trust directed by the said Bill.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say to the Effect following: 'That he had the Bill under Consideration, and is willing to return it to the House for any Alterations they may find necessary, tho' he thinks it not altogether Parliamentary: and that he is ready to pass any Bills that may be laid before him for the Publick Good; but as this

Bill has for its Basis the Paper-money Act passed by him, which has yielded a very considerable annual Revenue to the Publick, and was, amongst other Things, expressly calculated for the Support of Government, he expects the House will make up to him a Support equal to what was given to his two immediate Predecessors.' The Governor added, 'That as he had fallen into more difficult Times than any of our former Governors, and had conducted the Publick Affairs to the Honor and Reputation of the Province, he hopes the Assembly have intirely laid aside all Prejudices, as he on his Part had done, and that they will no longer defer doing what he thinks is not only in Justice due to him, but is at this Time, as the Excise Act is likewise expired, so apparently for the Interest of their Constitutents.' Then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Secretary, attending without, was called in, and delivered to the Speaker two written Messages from the Governor, with some other Papers referred to therein, which were read, and the Messages follow in these Words, *viz.*

GENTLEMEN,

COMMUNICATED to you, at your last Meeting, a Letter from the Lords Justices, directing me, "To put the Colony, under my Command, into the best Posture of Defence possible." I have since received another Letter, which is now laid before you, further directing me, "To put the Forces belonging to his Majesty's Province under my Government, into such a Condition, as to be able not only to repel the *French* Forces, if they should attack the said Province, but likewise to be in a Condition, if it should become necessary, to attack them." Their Excellencies were, undoubtedly, at the Time of writing these Letters, in Expectation of some Event, which would have brought on a Rupture with *France;* probably that of Prince *Charles* of *Lorrain's* passing the *Rhine* with the Army under his Command, and joining that commanded by his Majesty in Person. If a War with *France* was then expected, and an Attack upon some of the *French* Plantations in *America* was then meditated, what are we to expect, after our Mother-Country has been threatened with an Invasion by a *French* Power in Favour of a Popish Pretender? His Majesty's Vigilance, and the Zeal and Affection of his Parliament, seem, indeed (under God) to have already defeated that dangerous and insolent Attempt; and may the

Attempts of his Majesty's Enemies, and the Enemies of our Religion and Liberties in all Times to come, be defeated. But is it likely Matters will stop here? Is it not more probable that War will be soon denounced against that Persidious Nation; and since our Distance renders us unserviceable to his Majesty's and the *British* Cause in *Europe*, that we shall be called upon for our Assistance towards humbling the haughty Enemy in *America*? The Conjuncture, Gentlemen, is extreamly critical. The Method proposed by me at your last Meeting for defending ourselves, will put us into a Condition, when it shall be required of us, to annoy our Enemies.

May 8, 1744. GEORGE THOMAS.

GENTLEMEN,

MR. *Cookson's* Letter to me, which I have ordered to be laid before you, will fully inform you of the barbarous Murders perpetrated by three of the *Delaware Indians*, upon *John Armstrong*, an *Indian* Trader, and his two Servants. *Shick Calamy*, and the *Indians* settled at *Shamokin*, upon Information given by the Brother of the Deceased, and some others, apprehended two of the Murderers, and sent them down into the inhabited Part of the Country; but one only of them was delivered up, the other having been permitted by the *Indians*, that had the Custody of them, to make his Escape. The first was committed to *Lancaster* Goal; but, upon Notice given me of it, thinking that he might not be altogether secure in the Neighbourhood of the *Indians*, that it might be of Use towards the Conviction of his Accomplices to defer his Trial till they should be apprehended, and that it might give some Uneasiness to the *Indians* to be presented with such a Scene at the Place appointed for settling their Differences with the Governments of *Virginia* and *Maryland;* I, with the Advice of the Council, ordered him to be conveyed, under a Guard, to the Coal in this City, where he now lies. And that the Reputation of the Government, the Safety of the Back Inhabitants, and the Trade of the Province with the *Indians*, may not, in the future, be affected by any Remissness in the Prosecution of this Affair, I sent Orders to *Conrad Weiser*, to set out immediately for *Shamokin*, and there to make a peremptory Demand, in my Name, of the other two Murderers; and that *Shick Calamy*, and the *Indians* there, do order immediate Search to be made for the Goods of which the Deceased was robbed, in order to their being put into the Hands of his Brother, for the

Satisfaction of his Creditors, or the Support of his Family. And, at the same time, to inform them, that I design to send a Message to the Chiefs of the *Indians* which shall meet at *Lancaster* on the Treaty with our neighbouring Governments, desiring them to depute some of their Number to be present at the Trial, and at the Execution of such as shall be found guilty.

Conrad Weiser has had a great Deal of Trouble with *Indian* Affairs within these few Months; which, with his Fidelity and Capacity, I think, intitles him to a handsome Reward from the Publick, and I do not doubt but you will give it him.

May 8, 1744. GEORGE THOMAS.

Then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor's Message, relating to the Orders he had received for putting the Province into a State of Defence. *&c.* was again read, with the Lords of Justices Letter, and referred to further Consideration in the Afternoon.

The Governor's second Message, relating to the Murder committed by the *Indians*, with the Letter referred to therein, was also read, and the further Consideration thereof adjourned to the Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Governor's Message relating to the Defence of the Province, *&c.* was again read, and considered, and the farther Consideration thereof adjourned to To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor's Message was again read, and considered.

Ordered, That *Isaac Norris*, *Israel Pemberton*, *John Watson*, and *Joseph Pennock*, be a Committee to prepare a Draught of an Answer to the same, and lay it before the House.

The Governor's Message, relating to the Murders committed by the *Delaware Indians*, was again read, and considered.

Ordered, That *Thomas Leech*, *Oswald Peele*, *Abraham Chapman*, *James Gibbons*, *Samuel Blunston*, and *Arthur Patterson*, be a Committee to prepare a Draught of a Message to the Governor, in Answer thereunto.

A Petition from *John Ryan*, a languishing Prisoner in the Goal of *Philadelphia*, setting forth, that he has lost his Substance by Fire and the Enemy; that he is afflicted with a Complication of Distempers; that his Creditors, *Thomas Campbell*, excepted, are desirous he should be discharged; but that through the Obduracy of the said *Campbell* he is still detained in Prison, where he has lain these thirteen Months past; and praying that the House would take his Case into Consideration, and grant him such Relief as to their Wisdom shall seem meet; was presented to the House, and read, together with sundry Affidavits, Certificates, and printed Papers, thereunto annexed, *Ordered to lie on the Table.* Then the House adjourned to Three a Clock in the Afternoon.

The House met, and adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Secretary attending without was called in, and acquainted the House, that *Conrad Weiser* was just returned from *Shamokin*, and had delivered him a Report of his Proceedings in Writing, which the Governor had sent to the House; that *Conrad Weiser* farther reported, he had left the *Indians* under great Uneasiness on Account of some menacing Letters sent them by the Relations of the Deceased; and that if the House thought proper, *Conrad* would wait on them, and acquaint them with farther Particulars.

Then the Secretary being withdrawn, *Conrad Weiser's* Report, sent down by the Governor, was read; and it was

Ordered, That *Conrad Weiser* attend the House at Three a Clock this Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

Conrad Weiser attended the House, according to Order, and having given an Account of what he had heard and observed among the *Indians*, relating to the Murder of *John Armstrong*, he produced the Letters that had been sent to the *Indians*, and then withdrew.

Ordered, That the Account of *Conrad Weiser's* Proceedings, with the Letters, *&c.* be referred to the Committee appointed to prepare an Answer to the Governor's Message relating to the Affair of the Indians.

The Committee appointed to prepare an Answer to the Governor's first written Message, reported the same to the

House; and it was read by Order, and referred for further Consideration to To-morrow Morning; then the House adjourned to Nine a Clock To-morrow Morning.

The House met, *&c.*

Ordered, That the Executors of the late Treasurer forthwith pay the Ballance they admit to be due to the Province, into the Hands of the present Treasurer; and that the said Executors lay the said Account before the Committee of publick Accounts the next Sitting of Assembly, to be then settled.

It being moved in Behalf of *Conrad Weiser*, that by some Mistake in settling the Publick Accounts last Year, he had no Allowance for his Journey on the Publick Affairs; it was *Ordered*, That the Committee of Accounts enquire into it, and report thereupon to the House.

Ordered, That *Samuel Blunston* be added to the Committee of Accounts in the Room of *Anthony Shaw* deceased.

The Answer to the Governor's Message was again read, and ordered to be transcribed, that it may be sent up to the Governor.

And being transcribed, it was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

THE *religious and civil Liberties we enjoy under the happy Establishment of the Crown in the present royal Family are inestimable, and any Attempt against the Person of our gracious Sovereign and present Constitution, ought to be held in the greatest Detestation by every true Lover of his Country. It was with great Surprise and Concern we received Information of the late insolent and treacherous Invasion intended in Favour of a Popish Pretender; and we esteem it a signal Favour of divine Providence, in discovering and defeating that Attempt, and preventing the Effusion of Blood which might have ensued thereupon.*

We have a grateful Sense of every Instance of the Care taken by the Government over us; the Letters sent by Direction of the Lords Justices, which the Governor hath been pleased to communicate to us, we account of this Number: And altho' we must confess the Affairs of Europe *seem to be very unsettled, the Conjucture, as the Governor is pleased to express it, extremely critical, yet we still hope this Part of the King's Dominions is in no immediate Danger; that the late seasonable Interposition of Providence against his Ene-*

mies, the Enemies of our Country, Religion and Liberties; the Defeat of their combined Fleet, and the many Disappointments their ambitious Views have from Time to Time received, may, at length, induce them to seek Peace for their own Sakes. But as former Assemblies, as well as the present, have fully expressed themselves on the Subject Matter of this Message, and their Sentiments therein well understood by the Governor, we think it unnecessary at this Time to add any Thing further on the same Occasion.

And the Message being signed by the Speaker by Order of the House,

Ordered, That *Benjamin Field* and *James Gibbons* wait upon Governor with the same.

The Gentlemen return, and report, that they waited on the Governor, and delivered the Message of the House, according to Order: then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met pursuant to their Adjournment.

A Petition from *Conrad Weiser* was presented to the House, and read, setting forth, That in *January* 1742-3, he was sent by the Governor on a Message to the *Indians* of the *Five Nations*, at *Shamokin;* and that the Sum of *Thirty-two Pounds, Four Shillings* and *Six-pence*, ordered him in *August* following for that Service, had been before wholly laid out in paying the *Indians* that carried the Message from *Shamokin* to *Onondago*, and in entertaining and presenting them on their Return to *Philadelphia*, so that nothing remained for the Petitioner; which he thinks was not intended by the House, but owing to some Mistake of the Account; and therefore praying that the House would make him such Allowance for his said Service as they shall think meet.

The Committee of Accounts report, that they enquired into the Subject Matter of the above Petition, which was Yesterday referred to them; and do find, that *Conrad Weiser* had no Allowance made him for his Journey to *Shamokin;* and that they are of Opinion *Twelve Pounds* should be paid him in Satisfaction of the same.

Resolved, That an Order do issue under the Hand of the Speaker to the Provincial Treasurer, for the Payment of *Twelve Pounds* to *Conrad Weiser*.

And the said Order being drawn, was signed by the Speaker accordingly; and then the House adjourned to Ten a Clock To-morrow Morning.

The House met, &c.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, relating to the *Indians*, reported the same to the House; and it was read by Order, and ordered to be transcribed, that it may be sent up to the Governor; then the House adjourned to Three a Clock in the Afternoon.

The House met, &c.

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

WE return the Governor our hearty Thanks for the Care he hath been pleased to take for apprehending the Indians *charged with the Murder of* John Armstrong *and his two Men, lately killed on, or near,* Juniata *Creek; although the Relation given by* Conrad Weiser, *since his Return from the* Indians, *laid before us by the Governor's Directions, makes it appear not improbable that* Mushemeelin, *the* Indian *now in Custody, was the only Person who committed those barbarous Facts. The Care and Diligence already shewn by the Governor in this Affair, leave us no Room to doubt but that such further Steps will be taken as shall be necessary for the Discovery of all such as have been any ways concerned in perpetrating those Murders, that they may be brought to Justice in the most purdent Manner, and so as to avoid giving any Umbrage to the* Indian *Nations. And we offer it to the Governor's Consideration, whether to this Purpose, as well as in regard to the Treaty which by his Mediation hath been set on Foot between our neighbouring Governments and the* Indians, *it would not be more effectual, if, instead of the Message the Governor is pleased to mention, he should be present at the Time of the Treaty. This, we know, must occasion an Expence; but as it is requisite for the Publick Good, if the Governor shall be pleased to undertake the Journey, we will chearfully make Provision for that purpose; and likewise for the Services* Conrad Weiser *hath done the Province.*

Permit us farther to observe, that, according to Conrad Weiser's *Account, two Letters, sent by* Alexander Armstrong *to the* Indians, *caused great Disturbance, and made them apprehensive the Friends of the Deceased intended to revenge themselves on the* Indians; *and as it may be of evil Tendency, and destructive to the Peace of the Province, for*

private Persons to take upon themselves to do Acts which more properly belong to the Government, we pray the Governor will be pleased to take such Measures as he shall think most proper to prevent the like Practices for the future.

And the Message being signed by the Speaker by Order of the House,

Ordered, That *Oswald Peele*, and *John Hall*, wait upon the Governor, and deliver the same.

The Gentlemen return, and report, that they delivered the same, according to Order.

The Petition of *John Ryan* was again read, with the Papers referred to therein;

Ordered, That the Clerk give Notice to *Thomas Campbell*, and *Evan Morgan*, two Creditors of the said *Ryan*, of the Application by him made to this House, and Copies of his Petition, if they require it.

The House took into Consideration the Governor's verbal Message, in Answer to the Message of the House of the Eighth Instant, *A. M.* and, after some Debate thereon, the further Consideration thereof was adjourned to To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Clerk reported, that he had given Notice to *Thomas Campbell*, and *Evan Morgan*, according to the Order of the House.

Ordered, That *Israel Pemberton*, *Mark Watson*, *James Gibbons*, and *Arthur Patterson*, be a Committee to hear the Creditors of *John Ryan*, in Relation to his Petition, and report their Opinion what may be proper for the House to do thereon.

The House resumed the Consideration of the Governor's verbal Message, and, after some Time spent therein, the farther Consideration thereof was adjourned to the Afternoon: then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House resumed the Debate on the Governor's verbal Message, and, after some Time spent thereon, it was adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The House resumed the Consideration of the Governor's verbal Message, and, after some Time spent therein,

Ordered, That *Thomas Leech*, *Oswald Peele*, *Abraham Chapman*, and *Joseph Harvey*, be a Committee to prepare a Draught of a Message to be sent to the Governor, in Answer to the same, and that they report it to the House; then the House adjourned to Three a Clock in the Afernoon.

The House met, *&c.*

The Governor, by his Secretary, send down a Letter he had received from the Governor of *New-York*, containing some late Advices from *England*, which was read.

The Gentlemen appointed to prepare a Draught of an Answer to the Governor's verbal Message, reported the same to the House, and it was read by Order, and ordered to be transcribed, in order to be sent up to the Governor.

The Committee appointed to enquire into the Merits of *John Ryan's* Petition, report, that they have heard the said *Ryan*, and *Thomas Campbell*, at whose Suit he is now confined; and that the said *Campbell*, believing *Ryan* has concealed Effects, which a longer Imprisonment may produce, continues averse to his Discharge.

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

W H E N by our late Message we took Notice that the Bill which now lies before the Governor wanted Amendment, for that Time appointed for the Commencement of the Trust thereby intended to be reposed was expired, it was done with Intent the Amendment necessary might be proposed by the Governor, which, we doubt not, he will agree with us, may, if he pleases, be done in a Parliamentary Manner.

We are also of Opinion, that it will be for the Interest of our Constituents to make further Provision concerning the Excise Act, and we have a Bill before us to this Purpose; and we hope these Bills, and such others as shall be truly useful to the Province, when offered, will meet with the Governor's Assent: And we, on our Part, shall then chearfully make Provision for his Support for the current Year, equal to any granted for the like Time to either of his immediate Predecessors.

And the Message being signed by the Speaker by Order of the House,

Ordered, That *Joseph Harvey*, and *Oswald Peele*, wait upon the Governor, and deliver the same.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message, according to Order; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

A Petition from a Number of the Back Inhabitants of *Lancaster* County was presented to the House, and read, praying that effectual Measures may be taken to prevent carrying of Rum, or any other Spirits, among the *Indians*.

The Laws relating to the *Indian* Trade were also read, and referred to further Consideration; and then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'I HAVE had your Message of the Fifteenth Instant under Consideration. After the Trouble and Pains I have taken to reconcile the neighbouring Governments and the *Indians* of the *Six Nations*, no Man can doubt of my Zeal for the Good of the Publick. You yourselves, if I may be allowed to judge from your Messages, have been sensible of it. But my Presence at the ensuing Treaty does not appear to me to be either so necessary or convenient as your think it. My Mediation was offered to prevent further Hostilities between the Government of *Virginia* and those *Indians*, and to settle the Time and Place of their Meeting for a Treaty; both which have been happily effected. The Governor of *Virginia* is not to be at the Treaty himself, nor has he desired it of me; from whence I have Reason to conclude, that my Interposition will be thought by the Commissioners from that Government rather impertinent than necessary. The Government of *Maryland* had engaged to make the *Indians* Satisfaction for some Lands claimed by them; so nothing remains to be done on that Head, but to agree upon the Value of those Lands, in which the Governor has not asked any Assistance of mine. As to the Murder of *Armstrong*, and his two Men, since the Criminal is now in Goal, and it appears not improbable to you that he was the only Person who committed the barbarous Facts, a Message from me to the Chiefs of the *Indians* at *Lancaster*, insisting upon the Restoration of the Goods belonging to the Deceased, seems to me to be all that is now necessary. But

what more particularly determines me against the Journey at this Time, is a Letter I was Yesterday honour'd with from the Governor of *New-York*, enclosing a Transcript from the *London Gazette*, which, by my Order, was immediately laid before you. From hence it is not to be doubted, but that a War against *France* is declared, and that his Majesty's Orders and Instructions thereupon are on the Way to his several Governors upon the Continents of *America:* And I think I shall be more in my Duty to attend their Arrival in this City: where I may better concert Measures with the Council, and issue such Orders as shall be immediately thought requisite for the Security of this his Majesty's Colony. As you have hitherto refused to make any Provision against an Event which has been generally foreseen, and particularly mentioned by their Excellencies the Lords Justices in his Majesty's Absence from his *British* Dominions, I fear I am to expect little from you. In that Event, however, I shall think it my Duty to call you together, that in case of your Perseverance in so dangerous a Resolution, I may give his Majesty an Account of our defenceless Condition, and, agreeable to his royal Instruction, now before me, of what I apprehend is necessary for the Security of the Province.

I do concur with your Message of the Seventeenth Instant, that it will be for the Interest of your Constituents to renew the Excise Bill: and my Reason is, that you may be thereby provided with Money, without a general Tax on the Inhabitants, not only to purchase Arms, Ammunition, *&c.* for your own Defence, but to answer such Demands as may be made upon you by his Majesty for distressing the Publick Enemy in *America*. And if you will expressly appropriate the Sums arising from the Excise to these Purposes, I will most chearfully pass the Bill, and give up my own Arrears, though so justly due to me; the Support of Government having been the principal Foundation both of the Excise and Paper-money Acts.

May 18, 1744. GEORGE THOMAS.

The Governor's Message was again read, and considered, and the further Consideration thereof adjourned to the Beginning of next Week; then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met pursuant to their Adjournment, and adjourned to Nine a Clock To-morrow Morning.

The House met, &c.

The Governor's Message of the Eighteenth Instant was again read, and considered;

Ordered, That *Israel Pemberton*, *James Morris*, *John Watson*, *James Gibbons*, and *John Wright*, be a Committee to prepare a Draught of an Answer to the same, and report it to the House; then the House adjourned to Three a Clock in the Afternoon.

The House met, &c.

Ordered, That *Arthur Patterson* be added to the Committee on the Excise Bill, in the Room of *Anthony Shaw* deceased; and then the House adjourned to Ten a Clock To-morrow Morning.

The House met, &c.

The Committee appointed to prepare a Draught of an answer to the Governor's Message, report, that there are some Parts of the Message on which they desire the Direction of the House before they proceed further in the said Answer.

Resolved, That the House will immediately resolve itself into a Committee of the whole House to consider of the same.

The House accordingly resolved itself into a Grand Committee upon the said Message.

And, after some Time spent therein, the Speaker resumed the Chair, and *John Wright*, Chairman of the Grand Committee, reported, that the Committee had made some Progress in the Matter referred to them, and desired Leave to sit again; then the House adjourned to Three a Clock in the Afternoon.

The House met, &c.

The House resolved itself into a Committee of the whole House on the Governor's Message;

And, after some Time spent therein, the Speaker resumed the Chair, and *John Wright*, Chairman of the Grand Committee reported, that they had made farther Progress in the Matter referred to them, and desired Leave to sit again.

The Governor, by his Secretary, sent down a Letter he had received from the Governor of *Boston*, inclosing two printed Papers, containing the Declarations of War of the Kings of *Great-Britain* and *France* against each other, which was read; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, &c.

The House resolved itself again into a Committee of the whole House on the Governor's Message; and, after some Time spent therein, the Speaker resumed the Chair, and *John Wright*, Chairman of the Grand Committee, reported, that the Committee had gone through the Matters referred to them, and had come to several Resolves, which he was ready to report, when the House should think fit to receive the same.

The Gentlemen to whom the Excise Bill was committed, reported the same to the House, with the Amendments, and it was read, and ordered to be transcribed; then the House adjourned to Three a Clock in the Afternoon.

The House met, &c.

The Bill for laying an Excise on all Wine, Rum, Brandy and other Spirits, was read.

The Petitions of *Joseph Breintnall*, *Evan Morgan*, and others, for the Collector's Office, were read.

Resolved, That *Joseph Wharton* be Collector of the Excise for the City and County of *Philadelphia*.

Resolved, That *William Atkinson*, be Collector of the Excise for the County of *Bucks*.

Resolved, That *Jeremiah Starr* be Collector of the Excise for the County of *Chester*.

Resolved, That *Arthur Patterson* be Collector of the Excise for the County of *Lancaster*.

And their Names being inserted in the Bill accordingly.

Resolved, That the Bill do pass.

Ordered, That *Samuel Levis* and *George Ashbridge* wait on the Governor with the same, and desire his Concurrence thereunto. And farther, that they acquaint the Governor, that the House is desirous of rising this Week; and therefore request he would give it all the Dispatch he can; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, &c.

The Gentlemen appointed to wait on the Governor with the Excise Bill, report, that they delivered the same, according to Order; and that the Governor was pleased to say, he would give it all the Dispatch he could.

The House resuming the Consideration of the Petition from *Lancaster* County, relating to the Traders selling Rum

to the *Indians*, are of Opinion, that the Laws of this Province, now in Force, have made good Provision in that Respect, and, if duly executed, might be sufficient to prevent the Abuses complained of.

John Ryan's Petition was again read, and referred to further Consideration; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Governor, by his Secretary, sent down the Bill for the new Appointment of Trustees, *&c.* and the Excise Bill, with several proposed Amendments, which were considered, and some of them agreed to: but in that proposed of the Excise Bill, the House adhered to the Bill.

Ordered, That *Mark Watson* and *James Gibbons* wait upon the Governor with the said Bills and Amendments.

The Gentlemen return, and report, that they delivered the Bills, *&c.* to the Governor, and that he was pleased to say, he would give his Result on them in an Hour at farthest: then the House adjourned for Half an Hour.

The House met, *&c.*

The Governor, by his Secretary, returned the Bills, adhering to the Amendment he proposed to the Excise Bill; then the House adjourned to Nine a Clock To-morrow Morning.

The House met, *&c.*

Joseph Wharton, nominated in the Excise Bill as Collector of Excise for the County of *Philadelphia*, attending without, and desiring to be admitted, was called in: and, after thanking the House for the Favour done him in that Nomination, he desired, for some particular Reasons, that his Name might be struck out, and some other Person appointed in his Room; and then withdrew.

A Petition from *Rees Meredith* was presented to the House, and read, praying to be appointed the Officer for collecting the Excise in the City and County of *Philadelphia*.

Then the several preceding Petitions for the same Office were taken into Consideration, in the Order in which they were presented:

And the Question being put, that *Joseph Breintnall* be the Collector of the Excise for the City and County of *Philadelphia*? *It passed in the Negative.*

Then the Question was put, that *Evan Morgan* be appointed the Collector of the Excise, *&c.* *Passed in the Negative.*

Then the Question was put, that *Joseph Gray* be the Collector, *&c. Passed in the Negative.*

Then the Question was put, that *Thomas Peters* be the Collector, *&c. Passed in the Negative.*

Then the Question was put, that *James Read* be the Collector, *&c. Passed in the Negative.*

Resolved, That *Rees Meredith* be appointed Collector of the Excise for the City and County of *Philadelphia.*

Ordered, That *Thomas Leech* and *John Hall* wait upon the Governor, and acquaint him, that the House agree to amend the Excise Bill in the Manner proposed by him; and desire that he would appoint two Members of his Council to join with some of the House in comparing the ingrossed Bills, that they may be ready to be passed into Laws.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message, according to Order; and that the Governor was pleased to say, he would appoint two of his Council to join two Members of the House to compare the Bills at Two this Afternoon.

Ordered, That *Thomas Leech*, and *James Morris*, meet the Members of the Council, and compare the Bills; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Gentlemen appointed to examine the ingrossed Bills, in Conjunction with the Members of the Governor's Council, report, that they have examined and compared the same, and find them to agree with the first Copies.

The Gentlemen appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read by Order, and ordered to be ingrossed, that it may be sent up to the Governor.

Ordered, That *Edward Warner* be added to the Committee of Accounts.

Resolved, That a Sum, not exceeding *Three Hundred Pounds*, be paid by the Treasurer to such Persons as the Governor in Council shall order, for providing a Present to be made to the *Indians* at the ensuing Treaty.

Resolved, upon Motion, that the House will now receive the Report of the Grand Committee.

And thereupon *John Wright*, Chairman of the Grand Committee, reported as follows, *viz.*

"Your Committee taking into Consideration, that the Support granted to our present Governor since his Accession to the Government, falls short of the Allowance made to former

Governors; that the present critical Circumstances of Affairs, and the Difficulties which lately happened among the *Indians*, require the greatest Care and Viligence; therefore, and for promoting a good Understanding with the Governor, to induce him to represent the Conduct of the Inhabitants of this Province in a favourable Light, and the more chearfully to undertake a Journey to *Lancaster*, to treat with, and renew our Friendship with the Indians, they have come to the following Resolves, *viz.*

Resolved, That there be paid to the Honourable *George Thomas* Esq; our present Governor, besides the Support for the current Year, the Sum of *One Thousand Pounds.*

Resolved, That there be also paid to him for the Support of the Government of the current Year, the farther Sum of *One Thousand Pounds.*"

And the House agreeing to the said Report,

Resolved, That there be paid to the Honourable *George Thomas* Esq; our present Governor, besides the Support for the current Year, the Sum of *One Thousand Pounds.*

Resolved, That there be also paid to him, for the Support of the Government of the current Year, the farther Sum of *One Thousand Pounds.*

The message to the Governor being ingrossed, was read, and follows in these Words, *viz.*

May it please the *GOVERNOR*,

WE are very Sensible of the Trouble and Pains the Governor hath taken to reconcile the neighbouring Governments and the Indians *of the* Six Nations, *and we hope the same generous Motives will induce him to continue his Mediation until the Differences which subsist between them are intirely adjusted. For altho' we make no Question the Gentlemen commissionated by those Governments will acquit themselves with that Prudence and Circumspection the Case requires, yet, as they are Strangers to the* Indians, *it is to be feared their Endeavours will not be attended with that Success which the Governor's Presence at the Treaty, and the Confidence the* Indians *repose in him, might afford them. As therefore it may not only faciliate the composing of those Differences, and give an Opportunity of further Enquiry concerning the Murder of* Armstrong, *and his two Men, but also of renewing our Friendship with the* Indians *of the* Six Nations, *of giving them Notice of the War with* France, *and exciting them to be steady in the Interest of* Great-Britain, *we hope the Governor will be prevailed on to undertake the Journey; it*

being, as we conceive, an Affair of such Importance to the Peace of the Province, as will sufficiently justify the Governor's Absence, and not deprive him of the Opportunity of executing any Orders and Instructions he may receive from the Crown: Nor need the Governor be under any Fear, but that whenever those Orders shall arrive, the Representatives of the Freemen of Pennsylvania, *so far forth as shall relate to them, will pay all the Regard which becomes loyal faithful Subjects, consistent with their religious Principles, to the Commands of the Crown.*

As to that Part of the Governor's Message which relates to the Excise, the Bill being since agreed to, and the Approbation of the Money to arise thereby settled, it will be unnecessary to add any Thing concerning that Matter.

And the Message being signed by the Speaker by Order of the House,

Ordered, That *Mahlon Kirkbride*, and *James Gibbons*, wait upon the Governor with the same; and that they desire to know when the Governor will receive the House, in order to enact the Bills into Laws, that have passed the House with his Concurrence.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, he was now ready to receive the House.

Then the Orders of the Payment of *Two Thousand Pounds* to the Governor, pursuant to the Resolutions of the House, being drawn and signed by the Speaker;

The Speaker left the Chair, and, with the whole House, waited upon the Governor.

And being returned, the Speaker resumed the Chair, and reported, that the House had waited upon the Governor with the Bills which had passed the House with his Concurrence, and that they had been enacted into Laws with the usual Form. That the Speaker presented to the Governor the two Orders of the House, acquainting him, that tho' the House apprehended some other Laws would be necessary to be passed before the Expiration of the Year, yet as a Mark of the Confidence they reposed in the Governor, they had given the whole current Year's Support at this Time. And that the Governor was pleased to say, that he ever disliked bargaining for Laws; that Confidence naturally begot Confidence; that the Allowance now made him of the whole Support for the current Year, for which he returned his Thanks to the House, so far

from obstructing his Assent to any reasonable and necessary Bills, would rather be an Inducement to him to exceed our Expectations in this Respect; that he had Thoughts of sending a Message to us on *Indian* Affairs, but this Opportunity of expressing his Sentiments relating to them, rendered it unnecessary; that soon after War should be declared against the *French*, which he daily expected his Majesty's Commands for, he was determined to go to *Lancaster*, and assist the Commissioners of the Governments of *Virginia* and *Maryland*, in composing their Differences with the *Indians* of the *Six Nations*, and to renew our Friendship with the *Indians;* and that we might depend on his doing every Thing there in his power for the Good of the Province.

Resolved, That the House will this Day adjourn to the Thirtieth of the next *Fifth Month*.

Ordered, That *Thomas Chandler*, and *Abraham Chapman*, wait upon the Governor, and acquaint him, that the House proposed to adjourn to the Thirtieth of the next *Fifth Month*, unless the Governor hath any Objection to that Time.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment; then the House adjourned to the Thirtieth Day of the *Fifth Month* next.

THE House met pursuant to their Adjournment.

Ordered, That *Joseph Trotter*, and *Oswald Peele*, wait upon the Governor, and acquaint him, that the House is met, according to their Adjournment, and are ready to receive any Thing he may have to lay before them.

The Gentlemen return, and report, that they waited upon the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, he would send a Message to the House To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'SINCE your last Adjournment, his Majesty's Declaration of War against the *French* King has, by his Command,

been published here, and a Proclamation been issued by me, with the Advice of the Council, requiring all Persons under my Government, able to bear Arms, forthwith to provide themselves with them, that they may be in a good Condition not only to defend this his Majesty's Province, their own Persons, Families and Estates, but to attack the Enemy, in case it shall be required of them. Lists of such as are thought the best qualified in the several Counties to discipline the Inhabitants are preparing, and Commissions will be made out for them with all convenient Dispatch. This my Journey to *Lancaster*, to meet the *Indians*, prevented my doing sooner, and is all that is at present in my Power to do. The providing a Magazine of Arms and Ammunition, to be ready for all Exigencies, lies upon the Assembly, and it is the Duty of the Legislature to render the Strength we have useful to the King, our Neighbours, and ourselves, by a Law for settling and regulating a Militia, agreeable to the Practice in all other his Majesty's Colonies. Without a Law for this Purpose, my Commissions will carry no real Authority with them (if Persons should be found to accept of them) as the Inhabitants will not appear at any certain stated Times for their Instruction in military Discipline, nor provide themselves with Arms or Ammunition: Nor, without such a Law, will it be possible to draw them together to repel an Invasion upon this Province, or to send Assistance to *New-York*, or any other of our Neighbours, in case they should be attacked. We have not now the slothful *Spaniard* only to deal with. The *French* are an active enterprizing Enemy; and however quiet we are at present, or however secure we may now think ourselves, it is not to be doubted but they are meditating a Blow to be struck where they think it may be done with the least Danger, and most Advantage to themselves. But whether this be so or not, it is right to suspect them, and the best Policy to be always upon our Guard. I, for my Part, shall be willing to pass any Bill that shall be laid before me for the Purposes I have mentioned, and as readily agree to any reasonable Indulgence as such as are religiously persuaded against bearing Arms.

I have it likewise in Command from his Majesty to do every Thing in my Power to encourage the Fitting out Ships to act as Privateers against the Enemy. This I have done from a Principle of Obedience; but whoever reflects on the Increase of the *French* Trade in *America*, and, at the same time, on the great Accession of People to his Majesty's North-

ern Colonies since the last War, and the Materials they are furnished with for building and equipping private Ships of War for distressing the *French* in their Settlement, Trade, and Commerce, will be convinced that his Majesty has well considered the Interest of his Subjects in these Orders, and that Success in the Execution of them may have great Effects even towards bringing the Enemy to Reason, and the War to a speedy End. I shall but just hint to you, that our having a Number of Men and Vessels equipped for Service as Privateers, since some of them will probably be always in Port, may likewise be greatly for the Security of this City, in case of an Attempt upon it by the Privateers of the Enemy. This Part of the King's Dispatches leads me to ask you, what is to be done with any French Prisoners that shall be brought hither? How are they to be maintained? And how am I to be furnished with a Guard for securing them in Prison here, or for escorting them to the Prisons in the Country? For it will not be prudent or safe, either to allow them to walk at large, or to keep any Number of them in the Prison of a Town circumstanced as this is. If you will make a Provision for them at the Expence of the Publick, some of them may be sent away by every Vessel bound to *England*, or other Parts of *Europe*, and some reserved in different Prisons in the Country, for recovering the Liberty of such of our Countrymen as may have the Misfortune to fall into the Enemies Hands. But if you refuse to do this, our Privateers, to avoid the Expence of maintaining Prisoners here, will of course set them on Shore in some remote Parts of the *French* Settlement; where the Sailors of the *French* Merchantmen will commence Privateers upon his Majesty's Subjects, and our Countrymen will languish in the *French* Prisons, for want of *French* Prisoners to exchange for them. These are Matters worthy of your most serious Consideration, and I hope you will enable me to act in such a Manner, as may be for the Good of your Fellow Subjects in General, and as may conceal from an observing Enemy the weak Side of your own Country in particular.

I have now something more agreeable to lay before you, the Treaty with the *Indians* of the *Six Nations* at *Lancaster*. You will see that they have made a solemn Renewal of their Friendship with us, and have given me the strongest Assurances, that they will not suffer the *French*, or any *Indians*, in Alliance with them, to march through their Country to disturb any of our Settlements, and that they will give us

Notice of any Designs that may be formed against us by the Enemy, so soon as they shall come to the Knowledge of them. They have likewise promised to send down some of the *Delaware* Chiefs, with the two *Indians* present at the Murder of *Armstrong* and his two Men, for their Examination. Their Differences with *Virginia* and *Maryland* are also happily accommodated, which must be a very sensible Pleasure to every Man in the Province, considering that we should otherwise have been unavoidably involved in the Quarrel. The Invitations to the Treaty having been from those two Governments, I did not think it reasonable that any Part of the Expence of entertaining the *Indians* should fall upon *Pennsylvania*. As to the Expences of my Journey, they were such as became the Character I was to maintain; I should have been better pleased if I could have lessened them with Credit to the Province.

Observing that there was but one of the *Shawanese* from their principal Town upon *Ohio* at the Treaty, I set a-Foot an Enquiry into the Reason of it; and I have been since informed, that the *Six Nations* and *Shawnees* are far from being upon good Terms, and that the latter have been endeavouring to draw the *Delawares* from *Shamokin* to *Ohio*, from whence the *Six Nations* entertain a Jealousy of some ill Designs; and it is whispered amongst them, that should they be obliged to take Part in the War between us and the *French*, they will have the *Shawnees* and perhaps the *Delawares* also, to oppose them. As our Influence may have some Effect on the *Delawares*, to prevent their Removal to *Ohio*, it is fortunate that some of their Chiefs are coming down. The *Shawnees* sent me Word the two last Summers, that they designed me a Visit; but altho' I returned them a very kind Invitation in Writing by the same Messengers, they did not come. And indeed it is observable, that the closer our Union has been with the *Six Nations*, the greater Distance they have kept from us. I wish any Method could be fallen upon to secure them effectually to the *British* Interest, as they lie upon one Part of our Frontiers, and our most valuable Trade for Skins is with them; but considering their frequent Intercourse with the *French*, and their natural Inconstancy, I almost despair of it.

I cannot but be apprehensive, that the *Indian* Trade, as it is now carried on, will involve us in some fatal Quarrel with the *Indians*. Our Traders, in Defiance of the Law, carry spirituous Liquors amongst them, and take the Advant-

age of their inordinate Appetite for it, to cheat them of their Skins and their Wampum, which is their Money, and often to debauch their Wives into the Bargain. It is to be wondered at them, if, when they recover from the drunken Fit, they should take severe Revenges. I shall do all that lies in my Power to prevent these Abuses, by ordering a strict Observance of the Law relating to Licences, and the rigidest Prosecutions against such as shall be discovered to sell Rum to the *Indians*. But I am sensible these will avail but little, the ill Practices of these People being carried on in the Woods, and at such a Distance from the Seat of Government, that it will be very difficult to get Evidences to convict them. If I am rightly informed, the like Abuses of the Traders in *New-England* were the principal Causes of the *Indian* Wars there, and at length obliged the Government to take the Trade into its own Hands. This is a Matter that well deserves your Attention, and perhaps will soon require your Imitation.

July 31, 1744. GEORGE THOMAS.

Then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Treaty with the *Indians*, at *Lancaster*, delivered to the House with the Governor's Message; also a Letter from *Conrad Weiser*, and an Account of the Expences occasioned by the Treaty, were read;

Ordered, That the Account be referred to the Committee of publick Accounts.

A Petition from *John Musser*, of *Lancaster*, setting forth, That at the late Treaty with the *Indians*, at *Lancaster*, he sustained considerable Damage by their barking several Walnut, and other of his best Timber Trees, which had been carefully preserved to accommodate his Plantation; that being dissatisfied therewith, he was advised not to oppose or differ with the *Indians* about it, since they wanted the Bark to form their Cabins; but rather represent the Affair to the Assembly, which, it was not doubted, would, according to the Usage of this Province, order Satisfaction to be made him. That he has had the Damage viewed and computed at *Six Pounds*, as appears by the Certificate annexed to the Petition; and praying that the House would take the Premises into Consideration, and order him such Satisfaction for his said Damage, as to them shall seem meet;

was presented to the House, and read, and *ordered to lie on the Table*. Then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor's Message was again read, and referred to further Consideration; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

A Petition from *John Ryan*, a languishing Prisoner in Goal of *Philadelphia*, setting forth, that he has been now Sixteen Months confined there by *Thomas Campbell*, in Opposition to the Desire of all the rest of his Creditors; and praying that the House would take his Case into Consideration, and grant him such Relief as to their Wisdom shall seem meet; was presented to the House, and read, and *ordered to lie on the Table*. Then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Governor's Message was again read, and considered; and the further Consideration thereof adjourned to the Afternoon; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Petition of *John Musser* was again read, and considered; *Ordered*, That *Three Pounds* be allowed the said *Musser*, in full Compensation of the Damages set forth in his Petition.

The Governor's Message was again read, and considered; and the further Consideration thereof was adjourned to To-morrow Morning; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, and adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Governor's Message was again read, and considered; *Ordered*, That *Robert Jones*, *Israel Pemberton*, *John Watson*, *Joseph Pennock*, and *John Wright*, be a Committee to prepare a Draught of an Answer to the same, and that they report it to the House; then the House adjourned to next *Second Day*, at Three a Clock in the Afternoon.

The House met, and adjourned to To-morrow Morning at Ten a Clock.

The House met, *&c.*

Ordered, That *Israel Pemberton*, *Edward Warner*, *Abraham Chapman*, *Joseph Harvey*, and *Samuel Blunston*, be a Committee to audit and settle the Accounts of the incidental Charges for the current Year.

Some Papers relating to *John Ryan's* Petition were read; and then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House; and it was read, and referred to further Consideration in the Afternoon.

A Petition from *Tench Francis*, setting forth, That he was appointed Attorney-General of this Province in October, 1741, and has from that Time performed the Duties of that Office, as he hopes, to the Satisfaction of all Persons concerned; that the Fees arising on the Prosecution of Criminals, who are generally insolvent, are far short of a reasonable Compensation for those Services; and therefore praying that the House would make him such an Allowances as they shall judge adequate; was presented to the House, and read. *Ordered to lie on the Table.* Then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The Answer to the Governor's Message was again read, and considered, and the further Consideration thereof adjourned to To-morrow Morning.

John Ryan's Petition was again read, and considered, and *ordered to lie on the Table.* Then the House adjourned to Ten a Clock To-morrow Morning.

The House met, *&c.*

The Committee appointed to audit and settle the Accounts of the General Loan-Office, and other publick Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Perusal of the Members.

A Petition from *Martha Armstrong*, Widow of *James Armstrong*, who was killed by the *Indians*, was presented to the House, and read, setting forth, that by Means of that Murder she is left in poor and miserable Circumstances, with two

small Children: and praying that the House would grant her some Relief. *Ordered to lie on the Table.*

A Letter from *John Ryan* to one of the Members, was communicated to the House, and read; then the House adjourned to Three a Clock in the Afternoon.

The House met, &c.

Resolved, That *Thirty Pounds* be allowed to *Conrad Weiser* for his Service to the Publick in the Affair of *Armstrong*, and for other Services; then the House adjourned to Ten a Clock To-morrow Morning.

The House met, &c.

The Trustees of the Province Island laid their Account before the House, which were read.

Ordered, That *Thomas Leech*, *Isaac Norris*, *Edward Warner*, *Abraham Chapman*, and *Samuel Blunston*, be a Committee to audit and settle the said Accounts, and report thereon to the House.

The Petition of *Tench Francis*, Esq; Attorney-General, was again read, and considered;

And the Question being put, that the Attorney-General be allowed *Sixty Pounds*, in Consideration of the Services mentioned in his Petition? *It passed in the Negative.*

Resolved, That the Attorney-General be allowed *Fifty Pounds* for his Services in the current Year; then the House adjourned to Three a Clock in the Afternoon.

The House met, &c.

The Committee appointed to audit and settle the Accounts of the Trustees of the Province-Island, report, that they have examined the several Articles by the Vouchers, and find them right.

Resolved, That *Sixty-three Pounds* be allowed the said Trustees for their Trouble and Expence in the Management of the said Island since the Commencement of their Trust; *Sixty Pounds* whereof to be divided equally between *James Morris*, *Joseph Trotter*, and *Oswald Peele*, and the Remainder between *Joseph Harvey*, and *Thomas Tatnall;* then the House adjourned to Nine a Clock To-morrow Morning.

The House met, &c.

The Message to the Governor being transcribed, was again read, and follows in these Words, *viz.*

May it please the GOVERNOR,

THE Sentiments of the present Assembly, on that Part of the Governor's last Message which relates to the Defence of the Province, have been so often expressed, and are so well understood by the Governor, that we think any further Explanation at this Time can be of no Use. The Governor is pleased to inform us, he hath already issued a Proclamation, with the Advice of the Council, 'Requiring all Persons under his Government, able to bear Arms, forthwith to provide themselves with them; that they may be in a good Condition, not only to defend this his Majesty's Province, their own Persons, Families and Estates, but to attack the Enemy, in case it shall be required of them. And that Lists of such as are thought best qualified in the several Counties to discipline the Inhabitants are preparing, and that Commissions will be made out for them with all convenient Dispatch.' By Commissions from former Governors, a Militia was raised within this Province, and as it seems to be warranted by our Charter of Privileges, it will, we hope, excuse us from preparing a Bill to this End.

As to that Part of the Governor's Message which relates to French *Prisoners, we are of Opinion, it might be for the Advantage of the Province, that those by whom they shall be taken, should rather carry them into some other Part of the King's Dominions, than bring them amongst us; however, such of them as are, or shall be brought in, ought to be taken Care of. This we must leave to the Governor's prudent Management, that it be done at the least expence, and such Prisoners sent out of the Government as soon as it can be done with Convenience. And the Charge that shall arise, when known, we make no Question but that succeeding Assemblies will pay.*

The Success which attended the Governor's Endeavours for accommodating the Differences that lately subsisted between Virginia *and* Maryland *with the* Indians *of the* Six Nations; *his 'obtaining a solemn Renewal of their Friendship with us; and their strongest Assurances, that they will not suffer the* French *or* Indians *in their Alliance, to march through their Country to disturb any of our Settlements;' as it may be the Means of preserving of Peace, and preventing Danger on our Frontiers, affords us great Satisfaction, and we return the Governor our hearty Thanks for his Care and Conduct in the Management of this Treaty. The Expences*

which accrued on that Occasion, appears to us to be reasonable, and we shall make due Provision for its being paid.

It were to be wished that the Shawnees *were on better Terms with the* Six Nations; *their 'endeavouring to draw the* Delawares *from* Shamokin *to* Ohio,' *has no good Aspect: And as it occasions the* Six Nations *'to entertain a Jealousy of some ill Designs,' we desire the Governor will use his Influence with the Chiefs of those* Delawares, *when they come down, to prevent their Removal from* Shamokin; *and if any Method can be fallen upon to secure them effectually in the* British *Interest, which requires our Assistance, we shall chearfully contribute what can reasonable be expected from us to so good a Purpose.*

The Apprehensions the Governor is under, 'that the Indian *Trade, as it is now carried on, will involve us in some fatal Quarrel with the* Indians, *is not without good Cause. The Traders, in Defiance of the Law, carrying spirituous Liquors amongst them; their cheating them of their Skins, and Wampum, and debauching their Wives;' are Crimes which have been frequently complained against, and, it is to be feared, not without just Grounds. And therefore the Resolutions the Governor has been pleased to take, 'to do all that lies in his Power' to prevent these Abuses, by Ordering a strict Observance of the Laws relating to Licences, and the rigidest Prosecutions against such as shall be discovered to sell Rum to the* Indians; *we very much approve, and believe it may, in a good Degree, remedy the Evil complained against. To provide a Bill for amending the Law in respect to* Indian *Traders, would, we think, require longer Time than it will be convenient for us to stay together at this Season of the Year, and that therefore it will be best referred to the Consideration of the succeeding Assembly.*

And the Message being signed by the Speaker by Order of the House,

Ordered, That *Samuel Levis*, and *Francis Yarnall*, carry up the same to the Governor; and acquaint him withal, that the House proposes to adjourn this Afternoon to the Thirtieth of *September*, unless he hath any Thing to lay before them that may require their longer Stay.

Ordered, That the *Indian* Treaty be printed, and the Minutes, as soon as conveniently may be.

Resolved, That *Samuel Kirk* be allowed *Forty Shillings* for his extraordinary Services last Year.

The Gentlemen appointed to wait on the Governor with the Message of the House, return, and report, that they delivered the same, according to Order; and that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment. But as some of the *Delaware* Chiefs were expected down before another Meeting of Assembly, he was desirous to know the Mind of the House as to their mainenance, and the Presents to be made them.

Resolved, That the Speaker be desired to wait upon the Governor, and consult with him on the Affair; and to give Direction to the Treasurer to pay what shall be found necessary; then the House adjourned to Three a Clock in the Afternoon.

The House met, *&c.*

The House being informed, that in settling the Accounts of the General Loan-Office, there appears a Difference between the Accounts of the Trustees and the Computations of the Committee, amounting to *Ninety Pounds, Six Shillings*, and *Six-pence, Three Farthings*, it is recommended to future Committees to find out where the Error lies, there not being sufficient Time for it at present.

The Report of the Committee of Publick Accounts being otherwise approved, and allowed by the House, follows in these Words, *viz.*

We the COMMITTEE *appointed by Order of* ASSEMBLY *to settle the Accounts of the* GENERAL LOAN-OFFICE *of the Province of* Pennsylvania, *Report*,

THAT upon a careful examination of all the Mortgage Deeds (whereon any Quota's are due) taken by Virtue of all the Acts of Assembly for emitting Paper Bills, and now remaining in the Loan-Office undischarged we find there are Principal Sums, or Quota's, thereon, to become due and payable to the Trustees, the Sum of	£ 48131	5	0

That a List of Ninety-nine Mortgage Deeds have been taken, Part on the Fourth, and Part of the Fifth Re-emission of the *Eighty-Thousand Pounds* Act, amounting, as *per* List, to ———	6303	0	0	
That there are Quota's outstanding, and now due on all the said Mortgage-Deeds, as by a List exhibited by the Trustees to the Committee, and by them examined, amounting to the Sum of ———	15414	17	11	
That several Sums lent the Publick, to be repaid into the Trustees Hands, are still outstanding *viz.*				
The whole Sum appropriated by the second *Thirty Thousand Pound* Act, for the building the State-house, ———	£ 2000	0	0	
Part of the Sum lent the Mayor and Corporation by the first *Thirty Thousand Pounds* Act, ———	156	0	0	
Part of the Sum lent the City of *Philadelphia*, for building an Almshouse, —	437	10	0	
Part of the Sum put into the Provincial Treasurer's Hands, ———	200	0	0	
				£ 2793 10 0
				£ 72642 12 11

Balance in the Trustees Hands,					7357	7 1
Makes the whole Sum current in this Province,					£ 80000	0 0
That the Trustees, upon the Account of Interest charge the Province last Year's Ballance, settled by the Committee, *August* 1, 1743,	£	484	10	1¾		
And with the Interest outstanding on all the Mortgage Deeds now remaining in the Office, amounting as *per* List, to		6018	16	0¼		
Carried over,	£	6503	6	2		
Bought over,	£	6503	6	2		
And for sundry Orders paid for Assemblymens Wages,		472	16	0		
Paid *Buckridge Sims*, in Discharge of *Jeremiah Langhorne's* Order for Assembly Wages,		9	0	0		
Paid *Abraham Chapman*, Wages on a Committee,		3	10	0		
Paid James Morris, for Ditto,		4	10	0		
Paid *Thomas Leech*, for Ditto,		4	10	0		
Paid *Joseph Trotter*, for two Pair of Tongs,		3	0	0		
Paid *Thomas Leech*, towards the State-house,		150	0	0		
Paid *Thomas Graeme*, his Salary,		50	0	0		
Paid *Isaac Craal*, for his Servant,		2	17	9		
Paid *Patrick Baird*, in Discharge of his Order,		39	4	6		

Paid *Thomas Burden*, by Order of Assembly,		15	15	8				
Paid *Lyn-Ford Lardner*, in Pursuance of an Act of Assembly, for the Proprietary,		130	0	0				
Paid *John Hines*, for Boxes for the Loan-Office Deeds,		3	12	0				
Paid *Isaac Norris*, Part of the Orders to be remitted to the Agent,		222	18	0				
Paid the Trustees Salary, for the current Year,		550	0	0				
Paid *John Kinsey*, by Order of Assembly, for immediate Service,	£	60	0	0				
And for his Salary as Chief Justice,		50	0	0				
					£	110	0	0
Paid for exchanging and sinking *Three Thousand Four Hundred and Ninety four Pounds, Six-Shillings,* and *Six-pence*, reported last Year,		9	12	1				
And *Two Thousand Six Hundred* and *Forty-eight Pounds, Four Shillings,* sunk this Year,		7	5	7				
					£	16	17	8
For Allowances by Law for Seventy-four Mortgages, as *per Charles Brockden's* List,						74	0	0
Paid *Nicholas Scull*, for re-surveying *Joseph Rutter's* Land						2	15	6

For a Loss on *William Kent's* two Mortgages, the Principal Sum,	£	56	5	0	
And Interest thereon, ———		11	1	5	
				£	67 6 5
Ballance remaining in the Hands of the Trustees,		1439	16	11¾	
				£	9875 16 7¾

That the Trustees, upon Account of Interest, credit the Province for Sundries, *Viz.*

By Interest outstanding at the last Settlement,	£	5822	5	2¼	
By Interest arising on all the Mortgage Deeds the current Year, ———		2875	4	7½	
By broken Interest received this Year, ———		859	8	2	
By broken Interest received on *William Fishbourn's* grand Mortgage, ———		318	18	8	
				£	9875 16 7¼

We the COMMITTEE *appointed, by Order of* ASSEMBLY, *to audit and settle the* PUBLICK ACCOUNTS, *Report.*

THAT we have examined the Accounts exhibited to us by the Executors of *Samuel Preston*, late Provincial Treasurer, deceased, and find that they credit the Province.

By the Ballance of the said late Treasurer's Account settled with the Committee, ———	£	302	9	7½	
By Cash received of *Joseph Wharton*, Collector of Excise for the City and County of *Philadelphia*,		100	0	0	
				£	402 9 7½

That they charge the Province with the following Articles, *viz.*

To Cash paid *Samuel Scott*, by Order of Assembly for a Servant,	£	9	7	3½	
Paid *Arthur Patterson per* Ditto for a Servant, ——		9	0	10	
Paid *Samuel Kirk*, per Ditto, ——		8	0	0	
Paid *Judith Sherman*, *per* Ditto for a Servant, ——		3	12	0	
Paid *Isaac Norris*, *per* Ditto,		4	10	0	
Paid *Thomas Jackman*, *per* Ditto,		4	0	0	
Paid *Charles Stow*, *per* Ditto,		3	2	6	
Paid *Charles Brockman*, *per* Ditto,		6	17	0	
Paid *Benjamin Franklin*, *per* Ditto,		154	6	4	
Paid *Isaac Norris*, in Part of an Order of Assembly, to be remitted to the Agent, ——		100	0	0	
Paid *Michael Lightfoot*, Provincial Treasurer, by Order of Assembly, ——		80	10	4	
				£ 383	6 3½
Commissions thereon at *Five per Cent.*		19	3	4	
				£ 402	9 7

That we have examined the Provincial Treasurer's Account, and find that he credits the Province, *viz.*

By Cash received of *Joseph Wharton*, Collector of Excise for the City and County of *Philadelphia*, —	£	590	9	0
By Ditto received of *William Atkinson, Collector* of Ditto for the County of *Bucks*, ————		100	0	0
By Ditto received of *Thomas Cummings*, Collector of Ditto for the County of *Chester*, ————		336	11	4½
By Ditto received of *James Mitchell*, Collector of Ditto for the County of *Lancaster*, ————		111	0	0
By Ditto received of the Executors of *Samuel Preston*, late Provincial Treasurer,		80	10	4
————				£ 1218 10 8½

That he charges the Province with the following Articles, *viz.*

To Cash paid *Thomas Griffits*, Part of his Salary as one of the Provincial Judges, ————	£	25	0	0
Paid Doctors *Zachary* and *Bond*, for visiting sickly Vessels, *&c, per* Order of Assembly, ————		17	10	0
Paid *Joseph Harvey*, by Order of Assembly, ———		1	10	0
Paid *Conrad Weiser*, *per* Ditto,		12	0	0

Paid Sundries for Goods presented to the *Indians* and Carriage to *Lancaster*, by Order of Assembly,	291	10	9½			
				£	347	10 9½
Commissions at *Five per Cent.*	17	7	6			
Ballance in the Treasurer's Hands due to the Province,	853	12	5			
				£	1218	10 8½
That we have examined the Account of *Joseph Wharton*, Collector of Excise for the City and County of *Philadelphia*, and find that he credit the Province, *viz.*						
By the Amount of the Excise from *September* 1, 1742, to September 1, 1743,					1592	15 9½
That he charges the Province with the following Articles, *viz.*						
To Cash paid the late Provincial Treasurer towards this Year's Excise, as *per* Account settled with the Committee, *August* 1, 1743,	782	17	8			
To Cash paid *Samuel Preston*, late Provincial Treasurer,	100	0	0			
To Ditto paid *Michael Lightfoot*, Provincial Treasurer	590	9	0			
Commissions, at *Seven* and *a Half per Cent.*	119	9	1½			
				£	1592	15 9½
That we have examined the Account of *William Atkinson*, Collector of Excise for the County of *Bucks*, and find that the credits the Province, *viz.*						

By Ballance of last Account, settled with the Committee, *July* 27, 1743, ——	£	207	6	1			
By Amount of Excise, from the last Settlement, to *September* 1, 1743, ——		21	10	6			
					£	228	16 7
That he charges the Province with the following Articles, *viz.*							
To Cash paid *Michael Lightfoot*, Provincial Treasurer since last Settlement, ——	£	100	0	0			
To a Loss on Thomas Taylor, who ran away indebted to the Province, ——		3	14	11			
Commissions, at Ten per Cent.		10	0	0			
					£	113	14 11
Ballance due to the Province,						115	1 8
					£	228	16 7
That we have examined the Account of *Thomas Cummings*, Collector of Excise for the County of *Chester*, and find that he credits the Province, *viz.*							
By the Ballance of Account settled with the Committee, *July* 29, 1743, ——					£	367	2 10½
By the Amount of Excise since that Settlement,		5	19	10			
					£	373	2 8½
That he charges the Province, *viz.*							
For an Allowance of 206 Gallons, being so much Stock in Hand, ——	£	2	18	5			

To Cash paid *Michael Lightfoot*, Provincial Treasurer,		336	11	4½			
Commissions, at *Ten Per Cent.*		33	12	10½			
					£	373	2 8½

That the Collector of *Lancaster* County did not appear, but by the several Lists of Retailers in the said County we have examined his Accounts, and find that the Province must have Credit, *viz.*

By Ballance of Account settled with the Committee, *August*, 1741,	£	52	4	2½			
By Account of Excise, from *September*, 1740, to September, 1741, as *per* List exhibited,		98	1	4			
By Amount of Ditto, from *September*, 1741, to *September*, 1742, *per Ditto*, —		99	4	0			
By Amount of Ditto, from *September*, 1742, to *September*, 1743, *per* Ditto, —		93	0	4			
					£	342	9 10½

That the Province must be charged with the following Articles, *viz.*

To Cash paid *Samuel Preston*, Provincial Treasurer, as *per* Report, *August* 19, 1742,	£	95	0	0			
To Ditto paid Ditto, as *per* Committee's Report, *August* 1, 1743,		60	18	0			

Carried over,	£	155	18	0			
Brought over,	£	155	18	0			
To Cash paid *Michael Lightfoot*, Provincial Treasurer,		111	0	0			
Commissions on *Two Hundred* and *Sixty-six Pounds, Eighteen Shillings*, at *Ten per Cent.*		26	13	8			
Ballance due to the Province, from the said Collectors of *Lancaster*,		48	18	2½			
					£	342	9 10½
We do further report, that we have sunk and destroyed of the old Bills of Credit of the several Emissions, pursuant to the Directions of the *Eighty Thousand Pounds* Act, the Sum of,					£	2648	4 0
And sunk by former Committees,						58458	12 0
					£	61106	16 0
So that there remains to sink to compleat all the Bills of the several Emissions before the *Eighty Thousand Pounds* Act,						7782	19 0
					£	68889	15 0

Submitted to the Correction of the House,
August 8, 1744.

ISAAC NORRIS, ABRAHAM CHAPMAN,
THOMAS LEECH, EDWARD WARNER,
JOSEPH HARVEY, JAMES MORRIS.

Resolved, That *Joseph Wharton* be allowed *Ten Pounds* for his Trouble and Charge in prosecuting sundry Suits in Behalf of the Publick.

Resolved, That *One Hundred* and *Fifty Pounds* be allowed *John Kinsey*, Esq; Chief Justice of this Province, as his Salary for the current Year.

Resolved, That *Thirty Pounds* be allowed the Speaker for his Service in drawing Bills, *&c.*

Then the several Orders for the Payment of the Members Wages, the Salaries of Officers, and other incidental Charges and Allowances, being prepared and signed by the Speaker by Order of the House, the House adjourned to the Thirtieth of *September* next.

INCIDENTAL CHARGES.

TO *John Kinsey*, Esq; Chief Judge of the Supreme Court,	£ 150	0	0
To *Thomas Graeme*, Esq; another of the Judges of the same Court,	50	0	0
To *William Till*, Esq; another of the Judges of the same Court,	50	0	0
To *Richard Patridge*, Esq; his Salary as Agent, £ 100 *Sterling*,	170	0	0
To the Members of Assembly for their Attendance, at *Five Shillings per Day*, the gross Sum,	401	1	0
To *Isaac Norris*, for 12 Days Attendance on the Committee of Accounts, and sinking Paper-money, at *Five Shillings per* Day,	3	0	0
To *Thomas Leech*, for Ditto, 25 Days, —	6	5	0
To *James Morris*, for Ditto, 25 Days, —	6	5	0
To *Edward Warner*, for Ditto, 20 Days,	5	0	0
To *Abraham Chapman*, for Ditto, 22 Days,	5	10	0
To *Joseph Harvey*, for Ditto, 12 Days, —	3	0	0
To *Samuel Blunston*, for 2 Ditto,	0	10	0
To *John Wright*, for 1 Ditto,	0	5	0
To *Tench Francis*, Attorney General, by Order of the House,	50	0	0
To *Richard Peters*, Secretary, his Salary,	15	0	0
To Ditto for his Service in the *Indian* Treaty at *Lancaster*,	10	0	0
And for a Copy of the said Treaty,	3	0	0
To *John Kinsey*, Speaker of the House, for drawing Bills, *&c.*	30	0	0
To Benjamin Franklin, as Clerk of the House, and for printing the Votes, *&c.* as *per* Account,	62	1	2

To *Samuel Kirke*, his Salary as Serjeant,	8	0	0
To Ditto, an Allowance for extraordinary Services,	2	0	0
To Ditto, for Sundries for the Use of the House,	0	15	1½
Carried over,	£ 1031	12	3½
Brought over,	£ 1031	12	3½
To *Thomas Burden*, as Door-keeper, and for waiting on the Committee, 65 Days and a Half, at *Four Shillings per* Day,	13	3	6
To *Charles Stow*, for summoning 20 Councils, at *Two Shillings* and *Six-pence* each,	2	10	0
To *Benjamin Franklin*, for Postage of publick Packets to the Governor,	11	10	0
To *Richard Peters*, for Expences on the *Indian* Affair at the Treaty of *Lancaster*,	152	14	1
To *Conrad Weiser*, for Money expended at the *Indian* Treaty, per Account,	15	3	6
And for an additional Sum for his Journey to *Shamokin*, and another to *Philadelphia*, on Account of the Murder of *John Armstrong*, *&c.* and other Services done the Province to this Time,	30	0	0
To Doctor *Thomas Graeme*, per Account,	6	5	0
To *Joseph Wharton*, for his extraordinary Service and Expence as Collector of the Excise,	10	0	0
To *John Musser*, for Damage done his Trees by the *Indians* at the late Treaty,	3	0	0
	£ 1275	18	4½

APPENDIX:

CONTAINING THE DEPOSITIONS CONCERNING THE RIOT AT THE ELECTION IN THE YEAR 1742.

HUGH ROBERTS, of the City of *Philadelphia*, Shopkeeper, being examined in a solemn Manner, saith, That a apprehending some Disturbance from a considerable Number of Sailors, who were gathering together between Eight and Nine a Clock in the Morning of the Day of Election, with Capt. *Mitchell* at their Head, near the *Indian-King*, he, the Examinate, with *Thomas Lloyd*, agreed to go to the Mayor to desire him to take some Measures to disperse them; that in their Way they met *John Dillwyn*, who went with them; that the Mayor, when informed of the Sailors Meeting, said, he had no Right to take their Sticks from them; and asked if they had not as good a Right as other Persons to use them; and also said, what could be expected but Disturbance, when such Rascals and Villains usually attended Elections crowding the Stairs, and hindering the People from giving in their Votes?——That *John Dillwyn* desired the Mayor would please to order the Constables to be called together; and the Mayor said, What good will your ten Constables do you? Then the said *John Dillwyn* desired that he would publish something to command the Peace; and the Mayor assented to draw up something in Writing for that Purpose, which was afterwards read at the Court-house, but without Effect: That this Examinate was on the Court-house Steps when the Sailors came in a Body up Market-Street, about Ten a Clock armed with Clubs; that he went down amongst them to disswade them from disturbing the Election; but they appeared much heated with Liquor, and brandishing their Clubs, pressed forwards the Court-house, and knocked down *Anthony Morris*, and several other People, not having any thing to defend themselves;—the People fled. And this Examinate further—saith, the said Sailors appeared to be Strangers, and not Inhabitants of this Place.

HUGH ROBERTS.

JOHN DILLWYN, of the City of *Philadelphia*, Merchant, being examined in a solemn Manner, saith, That about Nine a Clock in the Morning of the Election Day, *Thomas Lloyd* and *Hugh Roberts* told him the Sailors were gathering at the *Indian-King*, with Clubs, and appeared to design Disturbance; that he went with them to the Mayor, who said,

Would you have me commit them on Suspicion? And this Examinate saying, We only desire they may be dispersed, the Mayor said, They have as much Right at the Election as the *Dutchmen* you had in Company last Night at *Reese Meredith's;* and added, That many lies had been spread about the Country, and that the Stairs were kept to hinder People from voting, *&c.* but consented to publish something to preserving the Peace.—And further this Examinate saith, That he afterwards saw the Sailors, being Strangers, as he thinks, come up towards the Court-house in a violent Manner, to the Number, as he judges, of about Seventy or Eighty, armed with Clubs, and one with a Cutlass: And that *Thomas Lawrence*, Alderman, was active in endeavouring to suppress them; but that they fell on, and knocked down many people, who had nothing wherewith to defend themselves (and behaved peaceably) and among others *George Shed*, whom this Examinate, with others, lifted from the Ground, and carried off bleeding and senseless. That when they were afterwards suppressed by the People assisting the Magistrates and Constables, he saw several of the Sailors carried to Prison, as he understood, by *Thomas Lawrence's* Order.

JOHN DILLWYN.

THOMAS LLOYD, of the City of *Philadelphia*, Merchant, being examined in a solemn Manner, saith, That on the Day of Election, about Eight a Clock in the Morning, *John Reynell* and *Joseph Wharton* told him, that near Fifty Sailors were collected on Board Capt. *Searle's* Ship, and that some Mischief was apprehended from them; that he went with the said *Reynell* and *Wharton* to *Thomas Lawrence*, who readily went with them to the Recorder, to request him to exert his Authority; who, when acquainted with their Apprehensions, said, he had heard of Three Hundred unnaturalized *Dutchmen* come down armed with Clubs (to which *Joseph Wharton* particularly reply'd) and further said, that the Sailors had as much right as those *Dutch;* and was told in Answer, That if they had appeared in a peaceable Manner, and not collecting themselves, and encreasing their Numbers from Ship to Ship, there would be no Objection. But the Recorder, being pressed by this Examinate to go and disperse them, hesitated for some Time, and at last said, he did not care to venture himself, or go among them.—The Recorder was told, that his late Father-in-Law had, alone, two Years ago, dispersed the Privateer-men, who gave the Inhabitants great Uneasiness by their tumultuous Behaviour;

and that if he, and the rest of the Magistrates, and the Constables, would go among them, they would be supported by a sufficient Number of the Townsmen. He reply'd, that he, or his Side (but this Examinate does not remember which) had proposed an agreement to a Choice of four Inspectors for each Side, and that his Examinate had agreed to it; which this Examinate absolutely deny'd, but that he had heard such a Proposal made, and some particular Persons objected to, yet he knew that Side had no Right to give away the Votes of a Number of Men, that could not be consulted. Well, says the Recorder, since you have refused our Proposition, thank yourselves for the Consequences, or take what follows; but disclaimed, for his Part, any Violence.—That this Examinate told the Recorder, we apply to you for Justice, where we have a Right to demand it, and if we cannot have it of those whose Duty it is to protect us, we will do ourselves Justice, and you shall see we are able (which was spoke with some Emotion.) And he reply'd, well, do, do.—Upon this the Sailors came by, some armed with Sticks; and the Recorder ask'd them mildly, and in a low Voice (not, in my Opinion, like a Magistrate) where they were going to? and advised them to be quiet, but did not order them to disperse. They answered, they intended no Harm, and were going out of Town: But instead of acting according to their Promise, they went in their Sight to *Master's* Wharff, and hailed Capt. *Tough's* Men to come ashore; and some of their Company went in a Boat to fetch them. That this Examinate asked the Recorder, whether he desired to be chosen at the Price of any Man's Blood? He replied in the Negative. Then this Examinate said, if you would avoid it, disperse these People, or probably there will be some Split before Night; or Words to that Effect.—That after this, the Examinate went to Judge *Griffitts*, who readily went to the Place of Election to endeavour the Preservation of the Peace. That hearing Capt. *Mitchell* was at the Head of the Sailors, at the *Indian-King*, he went thither, and heard somebody among them ordering Drams, saying, *Every Man his Dram; and then march.* That this Examinate spoke to Capt. *Mitchell*, and endeavoured to disswade him, as he appeared like a Gentlemen, from demeaning himself by heading a Mob; but in vain. And that the said Capt. *Mitchell* had then a Cudgel under his Coat, which this Examinate saw; that he went thence, and, with *Hugh Roberts*, and *John Dillwyn*, applied to *Clement Plumsted*, the Mayor, to have them dispersed; who seemed very angry, and said, Sailors

had as much Right as *Dutchmen;* and that Lies had been propagated among the People. This Examinate further saith, That the Sailors rendezvoused near the Church, and afterwards, about Ten a Clock, appeared in the *Jersey-Market,* huzzing, with Clubs in their Hands. And that Capt. *Redmond,* tho' a Stranger, was among the People, calling busily to the Sheriff, and directing him concerning the Choice of Inspectors, *&c.* That when this Examinate saw the Assault, he went to the Assistance of Alderman *Lawrence,* and the Constables; but being much wounded, was obliged soon to retire. That he judges the Sailors to be about Seventy or Eighty in Number, and Strangers. That he did not observe, nor does he know of any provocation given them. That Capt. *Spence* had told this Examinate a Fortnight before the Election, in a jocular Manner, That if the *Quakers* would give him *(Spence)* Fifteen Hundred Acres of Land, they should have the Election: And this Examinate answering, It was not in the said *Spence's* Power to help or hinder the Election of any Persons; he reply'd, it was, for they would keep the Stairs; and if Clubs would not do, they would bring Cutlasses and Pistols.— And further this Examinate, saith, That the Recorder told him, he had been spoke to concerning such an Attempt, but had discountenanced it.

THOMAS LLOYD.

ANTHONY MORRIS, the younger, of the City of *Philadelphia,* Brewer, being examined in a solemn Manner, declareth and saith, That about Nine a Clock in the Morning of the Day of Election, he saw *John Dillwyn, Thomas Lloyd,* and *Hugh Roberts,* at *Clement Plumsted's,* the then Mayor's Door, talking with him; and joining them, heard the Mayor say, *How can you expect any other, when a Sett of Villains hinder People from voting, by crowding the Stairs; and open People's Tickets, putting others in their Hands, or tearing them, as they like or dislike them.* To which this Examinate reply'd, We do not think it our Interest the Stairs should be crowded, we have always endeavoured to keep them clear. That *Hugh Roberts* saying, There are seldom any Sett of Men but have some Villains amongst them; the Mayor reply'd, *It is worse where they are all such;* or Words to that Effect. That going from thence towards the *Market-Street,* he saw Capt. *Mitchell* in *Front-Street,* with a Stone in his Hand, threatning to throw it at some Persons who were following him, but some Person laid hold of him; and at the same time he saw *Joseph Turner* lay hold of *Israel Pemberton,* the elder. That this Examinate went to the

Market, and from thence to the Church, about Half an Hour after Nine, and saw the Sailors gathered there; that he thinks they were without Sticks, and that he spoke to one or two of them that he knew, and advised them to be peaceable; and they said they were only on a Frolick. That afterwards he saw them in a Body, arm'd with Clubs, coming up the *Jersey-Market;* That the Sheriff went down from the Stairs to disperse them; that he saw several of the People beat by the Sailors: But being told his Father, almost murdered, was carried into *George Fitz-Walter's,* he ran thither, and saw no more of the Riot till after the Inspectors were chosen, when he saw several of the Sailors drive the People, some down Stairs, and others into the Court-house, violently beating some with their Clubs. That the next Day, in the Morning, he went with *Samuel Par* to the Mayor's, who told the Mayor, People were uneasy to hear that he was about to admit Capt. *Redmond* to Bail; that the Sub-sheriff being present, said, that Judge *Griffiths* had forbid the taking Bail for the said *Redmond* until the Election was over; upon which the Mayor grew angry, and said, *Who is* Thomas Griffits *to send me such Word?* and charged this Examinate with abusing him, in saying he had encouraged the Sailors; to which this Examinate reply'd, he had understood they had drawn up and huzza'd at the Mayor's Door before the Riot, that the Mayor went out among them, and, he was informed, did not discourage them, which he thought was encouraging; to which the Mayor reply'd, *Would you have me turn Constable?* This Examinate farther saith, that *Alexander Annand* told him some Time before, that *Redmond* had sworn he would bring a Hundred Men to the Election.

ANTHONY MORRIS, Junior.

JOHN HYATT, Esq; High-Sheriff of the City and County of *Philadelphia,* being examined in a solemn Manner, saith, That in the Morning of the Day of Election, about Nine a Clock, being in *Front-Street, Samuel Mickle* told him, the Sailors were gathering to disturb the Election; that presently he met a small Party of them with Clubs, and ask'd the Reason of their appearing in that Manner on the Day of Election, when the Law required People to appear in a peaceable Manner? And as they gave him no satisfactory Account of their Design, and had no Right at the Election, he demanded their Clubs, which they refused to deliver; but, with some Assistance, he took the Clubs from them, and observed one to be made very sharp. That after this he went to the Court-house, and opened the Election,

when he presently saw a Body of Sailors, to the Number of Fifty or Sixty, as he judges, armed with Clubs, and coming up towards the Electors in a tumultous Manner; that he went down amongst them, and endeavoured, with Mr. *Lawrence*, to persuade them to withdraw, or lay aside their Clubs, but in vain. That he called the Constables to assist in suppressing them, but they were beaten off; That he retired to the Court-house, and was going on with the Election, when he heard the Sailors were knocking down the People; but being within, he could not see what was passing without. That the Sailors clearing the Stairs, the Door was shut to keep them out, and then great Stones came thro' the Windows. That he judges the Sailors were Strangers, and not Inhabitants of this Place; and that the People were peaceably disposed, and had no Weapons either for Offence or Defence, and gave no Provocation.

JOHN HYATT.

SAMUEL PRESTON, Esq; Treasurer of the Province of *Pennsylvania*, aged Seventy-eight Years, or thereabouts, being examined in a solemn Manner, saith, That of the First Day of *October* last, being the Day for electing Members of Assembly, *&c.* he, with a very great Number of the Freeholders of this County, was met in the Street before the Court-house, to chuse Inspectors; when, to his Surprise, he saw a great Number of Men coming up the *Jersey* Shambles, with Truncheons or great Clubs; which being espied, *Thomas Lawrence*, a Magistrate, met them, and boldly exerting his Authority, commanded them to be gone, and not to make any Disturbance, or interupt the Election; but notwithstanding all he said, they pressed forward toward the Court-house, and struck several People; and this Exmainate saw one Man knocked down, which he took to be *Anthony Morris*. That this Examinate seeing *William Allen*, the Recorder, standing unconcerned, as he thought, he stept to him, and called upon him, saying, *Recorder, I desire thee to come and exert thyself, or give thy Assistance to the suppressing this Mob*, or Words to the same Effect; to which he reply'd, *What would you have me do? It is your own Fault*; or *you have brought it on yourselves*. Upon which this Examinate query'd what he meant; who answered this Examinate, *In that you did not stand to your Agreement*. This Examinate asking, *What Agreement*. He said, *That we should strike Four, and you Four*: Which this Examinate understanding of the Inspectors, said, he knew of no Agreement, nor that any Body had a Right to dispose of his Vote; and so parted. That he did

not observe the Recorder afterwards doing any Thing to suppress the Rioters, but seemed quite unconcerned. That he saw several of the People knock'd down afterwards. That he did not see one among the People with any Stick or Weapon; but that they appeared and behaved peaceably, and made no Resistance for some Time. That the Rioters appeared to him to be all Strangers. That he saw *Thomas Lawrence* at the Beginning endeavouring to suppress them, and was with him, and spoke to discourage them, advising them to depart; and that the said *Lawrence*, as a Magistrate, commanded the Peace, *&c.*

SAMUEL PRESTON.

JOSEPH WHARTON, of the City of *Philadelphia*, Cooper, being examined in a solemn Manner, saith, that on the First of *October*, about Seven a Clock in the Morning, *Reese Meredith*, and *John Reynell*, told him, that a Number of Sailors were met on *Powell's* Wharff, with Clubs; and that he immediately went down with the said *Meredith* and *Reynell*, where he saw them armed with Clubs, which seemed to him to be the But-ends of Hogshead Poles: That he then went with the said *John Reynell*, and *Reese Meredith*, *Israel Pemberton*, and *Thomas Lloyd*, to *Thomas Lawrence*, one of the Magistrates, to acquaint him therewith, and to desire that some Measures might be taken in Time, to preserve the Peace. That the said *Lawrence* went with them to the Recorder of the City, and told him, that there were between thirty and forty Sailors at *Powell's* Wharff, armed with Clubs; who answered, He knew nothing of it: That the Examinate, with the others, told him, that it was so, and that they came to him, as Recorder, to request his Authority and Assisance to suppress that Mob; and reminded him, that this Time two Years, something of this Sort appeared among the Privateers Men, and that the late Recorder shew'd an early Discouragement to it, which fully frustrated all their Designs: but the Recorder told them, That there were but Four Hundred naturalized *Dutch* in the County: This Examinate then proposed, that if the Recorder would give him their Names, he would endeavour to send the others away, if such should be found; and the Recorder promised to send the List to the Sheriff. That *Thomas Lloyd* ask'd the Recorder, Whether he would be chosen at the Expence of any Man's Blood, for such would be the Consequence, if he did not timely interpose (or Words to that Purpose) and that the Recorder reply'd, That he was not for Fighting, but he was on the side of Defence; to which the said *Lloyd* answered, *Then let*

the Hardest Send off (or Words to that Effect.) That *Thomas Lawrence* said, he was no Party-Man, but since he had the Honour of being a Magistrate, he would discharge his Duty, or to that Purpose; and then went to his House; with *Israel Pemberton, Thomas Lloyd, Reese Meredith,* and *John Reynell.* While they were gone, the Recorder told this Examinate, *Some of your People have given out, that they had Hickory Sticks a turning against this Day; our Party have made a just Proposal for chusing or striking four Men of a side for Inspectors, and they last Night sent four Men to settle it, which your Party would not accept.* This Examinate said, He did not know of any unnaturalized *Dutch* till last Night, when it was agreed among about Five Hundred People, at *Reese Meredith's,* that *John Lesher* should be appointed an Inspector, who, being ask'd, Whether he was naturalized, upon his answering in the Negative, another was proposed and agreed upon. That being with a Roomful of *Dutch* the Day before, *Aaron Hassert* requested them not to drink too much, or quarrel with any Body, which was interpreted to this Examinate, by one who sat next him: As to the Hickory Sticks, this Examinate neither knew nor heard of, but would engage for himself to bring none, tho' at other Times used to carry one; and believed none of his Side would bring either Whip or Stick to the Election. And with Regard to the Proposal of striking four Inspectors, this Examinate knew nothing of it, and if the Party had done it, they had no Right to it, because it was in the Choice of all the Electors. This Examinate going thence to *Thomas Lawrence's* Door to the rest of the Company, when a Parcel of Sailors, about Thirty in Number, and without Sticks, came up; *Thomas Lawrence* ask'd them, Where they were going to in such a Company? who answered, out of Town; he answered, *If so, it is well; but it is suspected you intend some Disturbance, which, if you do, remember I have now forwarned you,* or to that Effect. Then the Recorder said, *Lads, you have no Business to disturb the Election,* or Words to such Import: And this Examinate observing his Words not spoken in such a Manner as he expected he would have done, called out to the Sailors to mind what the Magistrate said; and if they broke the Peace, they would be committed to Prison. That this Examinate afterwards going on Board a Vessel at *Master's* Wharff, reasoned with them, upon which they promised to be quiet.—This Examinate going to the Court-house, found Capt. *Redmond* busying himself with the Election; and going to him, found him out

of Temper, and ask'd him what was the Matter? And he answered this Examinate, that if any Man used him ill that Day, he must take Care: This Examinate told him, he did not suppose any Body would affront him, and on that parted. When the Election came on, this Examinate, with *Charles Norris*, went to *Anthony Morris*, as a Magistrate, to come down to the Election, in order to preserve the Peace, who readily complied. Shortly after this Examinate, with *Thomas Lawrence*, went to a vacant Lot, opposite the Church, where the Sailors were then met; where *Thomas Lawrence* ordered them to be gone, and minded them of their Promise made him in the Morning; but here the Sailors appeared much more resolute: and so left them. That this Examinate return to the Market-place, met *Tench Francis*, the King's Attorney, and told him, it would be well if there would not be a Deal of Mischief done by those Fellows; and he said, they had as much Right to be there, as the unnaturalized *Dutchmen*. That this Examinate then coming to the Election, which for some Time was very peaceable, and *Isaac Norris* being put up for an Inspector, a great Cry was made, that the Sailors were coming up the *Jersey-Market;* this Examinate then going to them, found *Thomas Lawrence* and *Anthony Morris* entreating them to go away; and presently saw one of them strike *Thomas Lloyd* on the Head, and broke it: This Examinate also saw *William Fishbourne* on the Ground among them; and then reaching to take a Club out of one of their Hands, was himself knock'd down, and again received another Blow a-cross the Loins. That this Examinate afterwards going to see Capt. *Redmond* put in Prison, did not see *Israel Pemberton*, junior, there, as has been asserted. That the Magistrates that were active in endeavouring to suppress this Riot, were, *Thomas Lawrence*, *Anthony Morris*, and *Thomas Griffitts;* and that the Sailors appeared about Fifty in Number, and all Strangers.

JOSEPH WHARTON.

ISRAEL PEMBERTON, the Younger, of the City of *Philadelphia*, Merchant, being examined in a solemn Manner, saith, That on the first Day of *October* Instant, before Eight a Clock in the Morning, he was informed that a Number of Sailors were met together at the Lower Part of Town with Clubs, and that it was apprehended they were designed to disturb the Election. That soon after, going out of his House, he saw a Company of about Forty Sailors marching up the Street, and went up to them; and observing one of them very warm, and earnestly speaking to those

near him, he walked in amongst them, attending to his Discourse, but could not distinctly hear what he said, but found it was about a Summons, and as he then tearing a Paper, he supposed it might be one which some Magistrate had sent for him. That on their coming near Alderman *Lawrence's* Door, where the Recorder, *Thomas Lawrence*, *Joseph Wharton*, and some others, were standing together, they were stopt and informed by *Thomas Lawrence*, that their Meeting in that tumultuous Manner on this Day, appointed for publick Business, made the Inhabitants uneasy, and apprehensive of some ill Designs; to which they answered, they had no Intentions of doing any Mischief, and that they were going to make merry out of Town; he then (in a Manner becoming a Magistrate) charged them to give no Disturbance, and reminded them of the Consequence of behaving in a disorderly Manner; to which they reply'd, they were going out of Town. The Recorder told them they might be merry if they pleased, but that they must not disturb the People. As they were passing away, this Examinate desired they might be informed, that they had no Right to appear at all near the Place of Election; to which the Recorder reply'd, *They have as much Right as many of the* Dutch *you have brought down to vote.* And this Examinate said, We have constantly dissuaded those *Germans* that are not naturalized from coming down; but *William Parsons*, *Nicholas Scull*, and several others of your Party, have been amongst them, and, we are informed, while they had any Hope of influencing them, persuaded them to come to the Election; and that he had heard that the Tenants on M'Call Manor were enjoined by one of their Landlords to come down, having signed their Names to a Paper a few Days before; and of Eighty-eight that live on that Land, very few are worth *Fifty Pounds*, and not one naturalized. The Recorder still insisting that the Sailors had as equal Right with the *Dutch*, and seeming to level his Discourse at some Particulars of them, this Examinate said he supposed the Recorder had *John Lesher* in View, and added, that *Lesher* having been proposed for an Inspector at a Meeting last Night, informed the Company, he had not been naturalized, and for that Reason it was agreed to chuse another, which might convince the Recorder there was no Design to impose upon his Party by voting; but insisted, that as *Lesher* came into this Country at twelve Years old, was now a Man of Substance, and well acquainted with the Constitution, he had a Right to advise his Neighbours: Alderman *Lawrence* gave then his Opinion, that *Lesher* had a

good Right to vote; but this Examinate said, that as it was disputable, he would not offer to vote either at the Choice of Inspectors or afterwards. That this Examinate, *Joseph Wharton*, and *Thomas Lloyd*, followed the Sailors, who went on board a Brigantine at *Master's* Wharff, and called Capt. *Tough's* Men to come shore to them, and go and drink with them up Town; this Examinate, *Wharton* and *Lloyd*, reasoned with them, and cautioned them withal of the Danger of disturbing the People: at which some were angry and abusive, and others assuring they would go out of Town, while some provided themselves with Clubs from *Nathaniel Allen's* Hoop-poles that lay on the Wharff. That soon after, having been up the *Market-Street*, and returning Home, he saw Capt. *Mitchell* and the Sailors come up near the *Indian-King* Inn, and Capt. *Joseph Redmond* met them near the Prison, and this Examinate, after some Discourse with *Mitchell*, and another of the most active of them, went back to *John Wistar's* (while *Mitchell* and the Sailors went into the said Inn) and informed several of the leading Men among the *Dutch*, that by those Sailors appearing there at that Time, there was too much Reason to apprehend some mischievous Designs, therefore desired them to advise their People to behave peaceably, and to let no provoking or abusive Language disturb them, and even to bear Blows rather than to return them; and they did accordingly speak to the People while this Examinate stay'd with them. That this Examinate went then to the *Indian-King*, and calling *Peter Robinson* out into the Yard, desired he would not give the Sailors any Liquor, as they then appeared too warm, and it would only inflame them the more; to which he reply'd, that as he kept a Publick-house, he could not refuse them Liquor; and went in and fill'd a large Glass (he supposes) of Rum, which *Mitchell* drank; this Examinate stept in and told *Mitchell*, that *Thomas Lloyd* and himself desired to speak with him; he answered, *D n you, what do you want with me?* To which he reply'd, it was but a civil Request to speak a few Word with him; *Mitchell* said, if they had any Thing to say to him, they might speak it there; that then this Examinate acquainted him of the People's Uneasiness at their appearing in that tumultuous Manner, on that Day, so near the Place of Election, and that they ought to disperse, or they would be obliged to find Sureties for their good Behaviour, or be committed; he reply'd, *D n you, commit* ME! and with some Threats laid his Hand on a Club he had under his Coat; and this Examinate acquainted him he did not come to quarrel, but to give him timely Caution: and

observing the Sailors to gather round him, he walked out, and, with *Samuel Norris*, went down to *William Allen*, and acquainted him of what had happened, and that it plainly appeared that they has some ill Designs, and particularly complained of *Mitchell;* but *William Allen* made light of what was said, and this Examiniate could obtain no other Satisfaction from him, but that he would be answerable for their Folks, that they would do no Harm, unless they were first insulted; they would neither give nor take Affronts; and he said he could do nothing until the Peace was broke, and then he would do his Endeavour to quell them, and more to the same Purpose. That the Attorney-General, *Tench Francis*, coming in at that Time, upon hearing them, gave the like Answers; and further said to this Examinate and *Norris*, The *Dutch* are provided with Clubs, and if any Mischief is done, it will be by your People. In answer to which, this Examinate and *Norris* assured him, that they knew they were disposed to be peaceable and informed him of the Measures taken on their Parts to prevent any Disturbance. That this Examinate observed, that in the whole Conversation of *Allen* and *Francis*, they owned the Sailors as their Folks, for he had complained of none else. That on parting with them, this Examinate and *Norris* met *Mitchell* at *Thomas Lawrence's* Door, who, with several Oaths and Threats, shuck his Cudgel, as if he would strike this Examinate, repeating, in a great Rage, what this Examinate said, at the *Indian-King*, about their being committed. This Examinate followed him towards *Israel Pemberton's*, the Elder, who met and spoke with *Mitchell*, and observed to him, that he was in great Rage, and not to be trusted with a Cudgel; and on saying something about the Election, *Mitchell* swore he had a Right to be there armed, and swore Revenge on any Person that should attempt to stop him; and after a few more Words, which this Examinate cannot particularly recollect, he lifted his Stick, and attempted to strike this Examinate's Father, but was prevented by *John Fisher*, and some others, who took it from him; and his Hat falling off, his said Father follow'd him as he was running away threatning and swearing, and gave him his Hat again. That this Examinate stop'd and urged *David Franks*, who was with the said *Mitchell*, to persuade him to keep away from the Place of Election, and behave peaceably, which *Franks* declined.

That this Examinate soon after, with some others, followed *Mitchell* up *Front-Street*, resolving to take him before *Thomas*

Lawrence; and that having overtaken him near *Nathaniel Allen's*, and just as this Examinate laid hold of him, *Joseph Turner*, an Alderman of this City, ran a-cross the Street, and attacked him in a great Passion, questioning our Business with *Mitchell;* who, seeing this, immediately took up Stones and Bricks to fling, and flung one: Just as this happened, Capt. *Spence* came around from *Market-Street*, and laid hold of *Mitchell;* this Examinate persuaded *Spence* into *Townsend White's* House, where they stay'd some Time, and, as this Examinate thought, convinced him of the Necessity of taking *Mitchell* out of the Way: and he left this Examinate to seek for *Mitchell.*

That as this Examinate crossed the Street at the Corner, he met *Joseph Turner*, who had been home to fetch his Hat and Stick, and threatned us with Mobbing, with other rash Expressions; and on this Examinate's espostulating with him concerning *Mitchell* and the Sailors Conduct, he said, That no Man should be committed this Day;..... adding, after some Pause, Unless he should first break the Peace: To which this Examinate reply'd, That he or any Man else that broke the Peace should be committed: On which he damn'd this Examinate, and turning his Stick, attempted to strike him with the But-end of it; which this Examinate's Father prevented by laying hold of the Stick, and told him, he should not have it, unless he knew better how to use it; and kept it in his Hand till he was cooler.

That on coming to the Court-house, this Examinate saw the Sailors met near the Church, and went up to them in Company with *John Reynell*, and found a greater Number met than this Examinate had seen before, and seeing none that he knew among them, but one *Walter Gaven*, whom he desired to persuade the rest to disperse, he answered, that he had nothing to say to them, and then left them.

That soon after, this Examinate met *Joseph Shippen*, who complained of many unnaturalized *Dutch* there, by whom you will carry the Election of Inspectors; but this Examinate assured him, they were not brought down by their Approbation: and proposed to him to go to *William Parsons*, in whom they could confide; and as he was well acquainted with the *Germans*, this Examinate promised to use his Endeavours to persuade all to Leave the Place of Election that *Parsons* should find who were not naturalized, *Joseph Shippen* thinking this a reasonable Proposal, went with *Abraham Taylor* and this Examinate to *William Parson's* House, but not finding

him at Home, called upon *Michael Hillegas*, who came down with them. That upon their Return, they found the Sailors gone from the Church to the opposite Saw-yard. That this Examinate then spoke to *John Wistar*, *T. Ent*, and other leading Men among the *Dutch*, to advise their Countrymen that were not naturalized, to go away from the Place of Election. That as soon as the Election began, this Examinate went into an upper Room of *R. Moore's*, from whence he could see the People. *William Allen* was first put up, and not being chosen, *Isaac Norris* was proposed and chosen: But *William Allen*, *Septimus Robinson*, and others of their Party, standing amongst those in the Country Interest, declared, That being surrounded by the People, they could not move from among them. Immediately a Lane was made for them, to pass to the Southward; but this Examinate observed none but Doctor *Graeme* walk from thence; the rest then insisting, that they had taken their Standing on the North-side, and would not stir; upon which *Edward Shippen* proposed that the People should all go Eastward down the *Jersey-Market*, and on their Return towards the Court-house, should divide themselves North and South. That this Examinate went up to the Sheriff on the Court-house Balcony, and opposed *Edward Shippen's* Proposal, fearing it would cause Confusion, as the People had very unanimously agreed on their present Standing. At this Time the Sailors appeared coming up the Street, and halted near the *Jersey-Market;* the Sheriff called the Constables, but none appeared: *Thomas Griffitts*, *Thomas Lawrence*, and others, went down towards the Sailors; but this Examinate soon saw the Sailors striking with their Clubs, and several knock'd down. This Examinate then urged the Sheriff to go down to them, and handed out Constables Staffs from the Court-house to the People: They were soon driven back, and the Election of Inspectors finished. The Sailors soon after appeared in *Second-Street;* and *Edward Shippen*, at the Instance of this Examinate, undertook to treat with them, and persuaded them to retire: But soon after they returned with greater Fury, and with Clubs and Stones beating down all before them, and without Mercy abusing them when unable to rise, so that this Examinate expected several would have been kill'd, the People being provided with no Kind of Arms to defend themselves: But in a short Time the People rallying, the Sailors were drove down to the Ships; and this Examinate stay'd some Time to persuade the People to proceed in the Election; and as soon as they were a little settled, went Home, and saw by the Way Capt. *Redmond*

carried towards the Jail, with several of the Sailors. That after a short Stay, this Examinate returned to the Election, having first apprehended several Sailors in a House near his own; and that about Four a Clock he obtained of the Jailor the Names of all the Sailors brought thither, in Number Fifty-four, and apply'd to *Thomas Griffitts*, Esq; for a Commitment for them.

That this Examinate saw *William Allen* and *Septimus Robinson* several Times during these Disturbances, but never observed them to use their Endeavours to preserve the Peace; and the Country-People in general were so exasperated with them, that they would have sought after them and carried them to Prison with the Sailors, if they had not been persuaded to the contrary by this Examinate and some others. —— That this Examinate knows most of the Sailors belonging to this Port; and that most of these were Strangers.—— That this Examinate had several Times Notice, that Sailors were to be brought to disturb the Election; and particularly about the Twenty-fifth of *September*, that Capt. *Northover*, soon after his Arrival, was applied to for his Men: The Person to whom *Northover* confessed this, is gone to *Virginia*, but mentioned this Affair to several Persons in this Town before his Departure.—— That this Examinate was present but a short Time at the Examination of the Sailors, when some were discharged, and in a Manner very extraordinary, being in a private Place, and few People had Notice of it, by which Means several were discharged, against whom clear Evidence is to be had.

ISRAEL PEMBERTON, junior.

JOSEPH LOWNES, of the City of *Philadelphia*, Yoeman, being, examined in a solemn Manner, saith, that being, on the First of *October*, about Ten a Clock at the Place of Election, he saw a Body of Sailors coming up with Clubs towards the People. That apprehending a Disturbance, he spoke to *Abraham Taylor*, who was standing with *William Allen* and *Septimus Robinson*, Magistrates, all seemingly unconcerned, and requested their Authority to suppress or disperse them. That *Abraham Taylor* asked, *What would you have us do?* And this Examinate saying, *Here are Constables, if you will order them, we will assist:* The said *Taylor* reply'd, *Who will go among a mob to have their Heads broke?* That the Assault beginning, some Women in a Balcony said *Anthony Morris* is knock'd down! On which *William Allen* and *Abraham Taylor* turned to each other and smiled. That others saying, *Joseph Wharton* is knock'd down! *Abraham Taylor*

turned to *William Allen*, and said, *They have got Wharton down.* That the said *Allen*, *Taylor*, and *Robinson*, never offered to command the Peace, or to give any Assistance to those Magistrates that did, as this Examinate could observe. That *Thomas Lawrence*, *Samuel Preston*, and *Ralph Asheton*, did their Endeavour to suppress the Mob. That many People were knock'd down, and this Examinate himself received several Blows. That the People were all peaceable when the Sailors attacked them, and without any Thing to defend themselves, those who usually wore Canes, having laid them by, and even their Whips. That he judges the Sailors to be all Strangers, there being not one among them that he knew, tho' he knows many Sailors belonging to the Place. That he saw a well dressed Person, of middle Stature, at the Head of the Sailors, making Signs to them to clear the Stairs, and they immediately fell on accordingly. That after the Sailors were beaten, and retired to their Ships. *Thomas Lawrence* and *Ralph Asheton* came to the Water-side, and ordered them to be seized and brought out of the Vessels, and then committed them to Prison.

JOSEPH LOWNES.

JOHN REYNELL, of the City of *Philadelphia*, Merchant, being examined in a solemn Manner, saith, That on the First of *October*, about Seven in the Morning, he was acquainted by *Reese Meredith*, that a Parcel of Sailors were met together at *Hamilton's* Wharff, armed with Clubs, in order, as he supposed, to disturb the Election; and going with *Joseph Wharton*, and *Reese Meredith*, found them on board two Vessels, at *Powell's* Wharff, arm'd with Clubs, and making a great Noise: That returning to acquaint the Mayor, he found the Door shut; and calling on *Thomas Lloyd*, and *Israel Pemberton*, went to *Thomas Lawrence*, a Magistrate, who, when apprized of it, and requested, shew'd his good Inclinations towards dispersing them; and advised to make Application to the Mayor and Recorder; but being told the Mayor was not up, went with them to the Recorder, who, when acquainted with the Affair, said with some Warmth, the Sailors had as much Right at the Election as the unnaturalized *Palatines*, many of whom, he said, he was informed were come down; to which he was answered, that nothing was desired but a peaceable and fair Election, and that no Assistance was desired but of those who had a just Right to be at it: That the Recorder said, there were but Four Hundred naturalized *Dutch* in the County, whereof

he had a List, and that a great many more were come down: he was answered, Such should be spoke to, and sent away; and that, however, there was no Sign of their coming with Clubs, as the Sailors; to which the Recorder, with a Laugh, reply'd, *I am on the Side of Defence, and was informed you intended to come with Sticks;* that being answered there was no such Intention, and again desired to prevent the Sailors from disturbing the Election; he said, *There shall be no Blows on our Side, if there be none on yours and I will undertake to disarm ours at the Election, if you bring no Sticks:* That being told it might be too late, he said, *Gentlemen, What would you have me do? for the Peace is not yet broke, nor any Mischief done.* He was answered, That the late Recorder, his Father-in-Law, dispersed the Privateers Men on the Election Day, this Time Two-Years, when the People apprehended their disturbing the Election; and that these might be as easily dispersed if he timely interposed with his Authority, which he refused. That the Recorder also said, *If any Disturbance happen, it will be your own Fault, for not accepting the Proposal of chusing four Men of a Side for Inspectors; and, had you accepted this Proposal, there would have been nothing of this. Thomas Lawrence,* seeing the Recorder would do nothing in the Affair, with some Warmth, said, *Since I have the Honour of being a Magistrate, I will do my Duty as such, and will not have Regard to one more than the other:* And with that sent for a Constable to bring the Masters of Vessels the Sailors belong'd to before him. That this Examinate being at *Thomas Lawrence's* Door, saw the Sailors coming along the Street in a Body, who were ask'd by the said *Lawrence* where they were going to? and answered, they had a Holiday, and were going into the Country to divert themselves: That Thomas Lawrence told them not to disturb the Election; and this Examinate added, they had no Right to be present at it. That this Examinate afterwards saw the Sailors at the *Indian-King*, with Capt. *Mitchell* at the Head of them, and afterwards near the Church. That seeing Capt. *Redmond* very busy at the Place of Election, this Examinate told him, he had no Right to be there, being no Freeholder, nor long enough in the Country to have a Vote. That the People were very peaceable when the Sailors came up in a Body and assaulted them: That he believes the Sailors to be Strangers, and to the Number of about Forty or Fifty; and saw *Anthony Morris* go among them as a Magistrate to

keep the Peace; and heard afterwards that he was knock'd down, and grievously wounded.

JOHN REYNELL.

REESE MEREDITH, of the City of *Philadelphia*, Merchant, being examined, in a solemn Manner, saith, That on the First of October, about Seven a Clock, *William Morris* came to him, and told him that the Sailors were gathering together with Clubs, at *Hamilton's* Wharff; that he went with *John Reynell* and *Joseph Wharton* to view them, and saw about Thirty or Forty of them armed with Clubs: That he then went with the said *Reynell* and *Wharton* to the Mayor's; but his Door being shut, they went, together with Capt. *Thomas Lloyd*, and *Israel Pemberton*, to *Thomas Lawrence*, who advised them to go to the Recorder, and accompanied them. That upon Complaint made of the Sailors getting together in that Manner, the Recorder said to this Examinate, *They have as much Right to be at the Election as the unnaturalized* Palatines *you had last Night at your House; if any Mischief is done, it is your Fault, as you did not accept the Proposal that was made;* or Words to that Effect.—— That *Thomas Lawrence* said, He was no Party-Man, and while he had the Honour to be a Magistrate, he would discharge his Duty; and sent to get a Constable to bring the Captains of those Vessels that the Seamen belonged to before him. That this Examinate saw some Sailors come by *Thomas Lawrence's;* and the said *Lawrence* advised them to disperse, and go to their respective Vessels; and they said, they were going into the Country. That he went with *Thomas Lloyd* to *Thomas Griffitt's*, one of the Judges, and requested he would be present at the Election, in order to preserve the Peace, who promised to be there, as did also *Thomas Lawrence*. That being afterwards at the Place of Election, he saw a Body of Sailors, to the Number of Sixty or Seventy, as he thinks, all Strangers, coming up towards the People in a menacing Manner, flourishing their Clubs, *&c. Thomas Lawrence* and *Anthony Morris*, were endeavouring to put them back, and keep the Peace; when the said *Morris* was knock'd down in this Examinate's Sight. That he saw *William Allen* and *Abraham Taylor* standing at *Evan Morgan's* Corner, and did not observe them doing any Thing towards suppressing the Rioters. That the Electors were met in the most peaceable Manner, having resolved before the Election to come there even without the Sticks or Canes they commonly used to walk with: And further, that the Company at his House the Night before,

mentioned by the Recorder, were peaceable sober People, and behaved as such; many of them being Persons of Note and Distinction in the City and County.

REESE MEREDITH.

SAMUEL NORRIS, of the City of Philadelphia, in the Province of *Pennsylvania*, Merchant, one of the People called Quakers, being examined in the most solemn Manner, doth declare and say, That on the First Day of *October*, about Eight of the Clock, being at the Courthouse, the Examinate heard that Capt. *Mitchell*, at the Head of a considerable Number of Sailors, armed with Clubs, was gone to Peter Robinson's to treat them; on which the Examinate went to Robinson's, and there met with *Thomas Lloyd*, and *Israel Pemberton*, junior, who called for *Mitchell*, and desired he would come into the Yard, intending to persuade him to disperse the Sailors; but *Mitchell* not coming, *Israel Pemberton*, junior, *Thomas Lloyd*, and this Examinate, went into the publick Room where *Mitchell* was with a Club under his Coat, drinking with a Number of Sailors; they desired *Mitchell* and the Sailors to disperse; and *Israel Pemberton*, junior, told them, *That the Freeholders would not be insulted, and if they did not disperse, they would certainly be committed before Night: Thomas Lloyd* spoke also to *Mitchell*, and told him, That his Behaviour was unbecoming to his Station, to be drinking with the Sailors. *Mitchell* in a threatening Manner reply'd, That it was no Business of his, and that he had a Right to bring his Sailors (or Men) there, and treat them, using several Oaths; to which *Lloyd* answered, He did not come there to quarrel, yet was not afraid of him, but to desire they would disperse: and *Lloyd* spoke to the Sailors, which the Examinate thought affected many of them, till *Mitchell*, by his Expressions, effaced it: Upon which the Examinate, with *Israel Pemberton*, junior, went to *William Allen*, whom they met at *Thomas Lawrence's*, and told him what had passed with regard to *Mitchell* and the Sailors, and desired that *Mitchell* might be bound over, otherwise they imagined Mischief would ensue. *Allen* answered, That the Sailors had as much Right to walk the Streets, as the unnaturalized *Dutch*: that *Mitchell* had not broke the Peace, as he could discover: And *Tench Francis* just then coming up, declared, he saw a Number of the Country Side with Clubs. They were answered, that, in our Opinion, *Mitchell* and the Sailors appearing in so tumultuous a Manner, was a Breach of the Peace; and we had not seen any Sticks amongst the Country Party; and

to avoid giving the least Occasion of Offence, it had been agreed, at a large Meeting the Night before, not to carry either Sticks or Canes to the Election; that we had not encouraged the unnaturalized *Dutch* to come down and vote, but heard some on their Side had done it. *William Allen* reply'd, *Well, well, if your Side do not break the Peace first, we (or our Side)* won't; or to that Effect; On which they left him, when *Mitchell* came up with a Stick, and lifted his Hand at *Israel Pemberton*, junior, and said, *D n you, Who is it you talk of committing? Pemberton*, junior, said, Him, if he did not behave well, but broke the Peace; or to this Effect. *Mitchell* was very angry, and going down *Water-Street*, met *Israel Pemberton* near his Door, and this Examinate follow'd, and seeing *Mitchell* attempt to strike *Israel Pemberton*, assisted to take his Stick away; and heard *Israel Pemberton*, junior, desire *David Franks*, who was by, if he had any Influence on *Mitchell*, to desire him to be peaceable. *Mitchell*, on going away, used such Expressions, that this Examinate thought it was not proper the said *Mitchell* should be at Liberty: And this Examinate, with *Israel Pemberton*, and *Israel Pemberton*, junior, followed the said *Mitchell* up *Front-Street*, when coming up with him, near *Townsend White's* Capt. *Spence* came up to them exceeding warm; but seeing *Mitchell* offering to heave a Stone at them, prevented him. About this Time, *Joseph Turner* came over the Street, and in an angry Manner took *Mitchell's* Part, though the said *Turner* was told of *Mitchell's* offering to strike *Israel Pemberton*, and his threatening Expressions afterwards; nor did *Joseph Turner* take any Measures that the Complaint against *Mitchell* might be heard, but said, no Man should be committed that Day. *Israel Pemberton*, junior, said, If he or any Man broke the Peace, they were liable to be committed, or to this Effect: Many other Expressions passed, which the Examinate does not remember. This Examinate then went to the Court-house some Time before the Choosing of Inspectors, and was among the Electors; and look'd, but saw only one Man with a Stick, which was but small; and his Excuse was, for his having it, that he was lame; but on this Examinate's Request, he promised to lay it by. Soon after the Election of Inspectors began, the Bulk of the Electors being on the North-Side of the Court-house, *William Allen* was proposed, but not chosen: But a Dispute arising, about which Side of the Court-house each Party should stant at, *Edward Shippen* proposed the Electors should go down *Market-Street*, and come up again,

that they might divide, and that the Country Party should take the South Side; but the Country Party being apprehensive of some Design to confuse or divide them, kept to gether. About this Time the Sheriff read a Paper, said to be sent by the Mayor, desiring the People to be peaceable, and not to slander or detract, or to this Effect: And the said Examinate heard the Sheriff call the Constables to attend him. When going to proceed in the Election of Inspectors, it was stop'd by the Sailors, who, the said Examinate heard, had come up *Market-Street*, and knock'd down several of the Freeholders; and he observed the Sheriff go to their Assistance, but did not observe any Constables attending him: In some small Time the Sheriff returned, and soon after the Sailors came up near the Court-house, flourishing their Sticks: After some Stay there, they withdrew, and the Election of Inspectors closed. This Examinate then went Home, but returning up *Second-Street*, observed the Court-house Stairs quite clear, and the Sailors driving several People down the Street bloody. This Examinate went to the Court-house, where he observed the Freeholders and Electors driven away, and the Sailors, to the Number of Fifty or Sixty, armed with long Sticks, like Lathes, and Butts of Hoop-poles, in Possession of the Place of electing: and some crying out, there were two Sailors confined in the Court-house, and if they were not delivered, the Court-house should be pulled down. On which this Examinate went up the Stairs, and ask'd at the Door if any Sailors were confined, was told not, which he mentioned to the Sailors, whom he observed engaged with a single Man, who at first had the Advantage, and knock'd down one of the Sailors, till overpowered by them, was obliged to retreat; whom he believed they would have killed, had it not been for a Cry, *the Town was rose:* On which the Sailors immediately ran, and the Examinate pursued them to *Master's* Wharff, where he saw several Sailors of whom, with Capt. *Redmond*, were carried to Goal. This Examinate imaging another Riot would happen in the Night to release the Captain and the Sailors, persuaded several of the Country Electors to stay in Town to assist if wanted. And this Examinate further saith, That the Freeholders and Electors behaved in a peaceable Manner, and more sober and quiet, till the Sailors Riot began, then he had ever observed at an Election before.

SAMUEL NORRIS.

WIGHT MASSEY, of the City of *Philadelphia*, Cooper, being examined in a solemn Manner, saith, That the Night before the Election, going to *Reese Meredith's*, he met *Evan Morgan*, *Samuel Rhoads*, and *William Crostwaite*, who said they were going to the Sign of the *Tun*, to wait for *John Bringhurst*, who was to bring them the Result of the Company at *Reese Meredith's*, about the Inspectors; that this Examinate went to *Reese Meredith's*, and told some of the Company, that the said *Morgan*, *Rhoads*, and *Crostwaite* were waiting as aforesaid; and afterwards went with *James Morris* to the *Tun* to drink a Glass with them; and *John Bringhurst* after some Time coming in, told them the Scheme would not take, the Company thinking they had no Right to give away the Votes of the Country-People, and that therefore the Inspecors would be chosen as usual. That thereupon *Samuel Rhoads* said, *We will offer no Affront, nor receive any; let the hardest send off.* To which *Evan Morgan* and *William Crostwaite* assented.——That on the Morning of the Election, after the Sailors had made their first Assault, he saw *William Allen* standing with others in the Street, and told him, he had not done his duty as a Magistrate, for that it was in his Power to have supressed that Mob, if he had endeavoured it; to which the said *Allen* reply'd, *You may thank yourselves for it; you would not comply with that reasonable Proposal of choosing Four Inspectors on a side; I heard you gave your Servants a Holiday to disturb the Election.*—That the Sailors were Strangers, and this Examinate never heard they had, or pretended to have, any Provocation; but fell on violently as soon as *Isaac Norris* was chosen Inspector, as if they had a Watch-word.

WIGHT MASSEY.

WILLIA HUDSON, Junior, of the City of *Philadelphia*, Tanner, being examined in a solemn Manner, declareth and saith, That on the First Day of *October*, 1742, as the People were choosing Inspectors, there came up towards them a riotous Company of Sailors, through the lower End of the *Jersey* Market-place, with Clubs, designing to disturb the Election, as he thought, and that he went from the Crowd at the Court-house to observe these Sailors, and saw them resisting *Samuel Preston*, *Thomas Lawrence*, and *Charles Willing*, who were endeavouring to keep them back, with the Help of some Constables, but the Constables Staves were soon broken or taken from them.—He, the said *William Hudson*, thereupon spoke to the Rioters, telling them they had

no Right to come and disturb a peaceable Election; and one of them answered, that they came to fight for *William Allen*, and by G—d they would; with that the said *William Hudson* went up to him, and seiz'd one End of his Stick, receiving from it a Hurt in his Groin, with a Punch or Thrust made by the said Sailor; who called upon his Comrades for Help to save his Stick, and presently several of them running towards the said *William Hudson*, with their Clubs, he was obliged to let go his Hold.—He the said *William* then stept to *William Allen*, who was standing at *Evan Morgan's* Corner,, and requested him to go to the Assistance of those Magistrates who had met the Sailors; his Answer was, that he would not; and the Reason he gave for it was, he had made a Proposal to some of his and the said *William Hudson's* Party, about the Choice of four Inspectors of each Side, which was at first agreed to, but now not comply'd with, and therefore they might take what followed.—

The said *William Hudson* then immediately returned to the Sailors, and found them striking at some of the Constables, and at *Joseph Rakestraw*, who had also had in his Hand a Constable's Staff, and the said *William* called out aloud to the Inhabitants to surround the Sailors and disarm them; upon which most of them crouded the Passage on the South-side of the Street, striking all that stood in their Way; And one of them, with a Club in his Hand, making towards the said *William Hudson*, he stoop'd down, and took up Part of a Constable's broken Staff, but finding it of light wood and weak, he cast it away, and happening to see laying near him a Rail with Tenter-hooks in it for the hanging of Meat on, he took that, and with it struck the said Sailor down; and then, No-body coming to his Assistance, and seeing himself in a great Danger, he withdrew. After this he saw *Abraham Taylor*, by *Evan Morgan's* Corner, take Sticks from several Country-men, with which they had just then provided themselves for their Defence, and to oppose the Sailors; he thereupon let the said *Abraham Taylor* know, the Sailors were knocking People down on the other Side of the Street, and therefore the Country-men should not be deprived of their Sticks; of this he seemed to take no Notice, but carried the Sticks into *Evan Morgan's*.

WILLIAM HUDSON, Junior.

JOHN FISHER, of the City of *Philadelphia*, Merchant, being examined in a solemn Manner, saith, That he had heard it discoursed, a Month before the Election, that the *Quakers*

were to have their Heads broke. That on the Day of Election, about Eight a Clock in the Morning, Fifty or Sixty Sailors passed by his Door in a tumultuous Manner, some of them with Papers in their Hands. That between Nine and Ten a Clock, standing at the Corner of his House, in Water-Street, he saw a short trunch Man, whom he afterwards heard called by the Name of *Mitchell*, coming from towards Alderman *Thomas Lawrence's*, in Water-Street: That the said *Mitchell* came up to *Israel Pemberton's* (the elder's) Door, the said *Israel Pemberton* spoke something to him, but this Examinate could not understand the Words by him spoke but perceiving the said *Mitchell* attempt to strike. took away his Stick or Club from him. The said *Mitchell* turning the Corner up towards *Front-Street*, swore he would go and fetch a Hundred Sailors to the Election; upon this he was told, that if he threatened in that Manner, he ought to be committed: He thereupon repeated his Threat; upon which this Examinate with others went after him, in order to take him before a Magistrate; and while following him, met Capt. *Spence*, who ask'd the Reason of following *Mitchell*, and was answer'd, that he had offered to strike *Israel Pemberton*, the elder, and threatened the Election; and the said *Mitchell* then took up a large Stone, and attempted to throw it at this Examinate and others, but was prevented by Capt. *Spence's* taking the Stone from him. This Examinate farther saith, that he saw *Joseph Turner* there, and heard him say, If you want Mobbing go up to the Court-House, and you shall have it. That the Election *Edward Shippen* proposed that the People should walk down the *Jersey Market*, and divide in coming up again to the Court-house; and just at that Time he heard the Noise of the Sailors coming up to the *Jersey* Market. That after the Breaking the Court-house Windows, he went among the Sailors to see if he knew any of them, and spoke to one *Barnes*, that had failed in his Employ, who shook his Club at this Examinate; and presently Capt. *Redmond* came behind him, and pulling his Coat, said, *I forwarn you on your Peril meddling with any of those Fellows;* and soon after they fell on this Examinate, and wounded him very much. That he saw *Abraham Taylor*, *William Allen*, *Septimus Robinson*, and *William Peters*, Magistrates, standing by unconcerned, and taking no Pains to suppress the Mob. That the Electors were met in a very peaceable Manner, and gave no Offence or Provocation that he knows of.

JOHN FISHER.

JOSEPH HITCHCOCK, of the City of *Philadelphia*, Carpenter, being examined in a solemn Manner, saith, That some Time before the Day of Election, he heard that Capt. *Redmond* was to head a Body of Sailors on that Day; that in the Morning of the First of *October*, about Six a Clock, being by the Water-side, he saw about Twenty-five or Thirty Sailors coming up from *Hamilton's* Wharff, arme'd with Clubs, and ask'd them where they were going? To which they answered, *To knock down the broad Brims*. That he told an Acquaintance what he had seen, and proposed carrying Sticks to the Election to defend themselves, if they should be attacked; but was disswaded from it. That at the Election he saw Capt. *Redmond* active among the Sailors, retreating with them; and heard the said *Redmond* (clapping them on the Back) say to the Sailors, *Well done my Lads; stand your Ground*. That this Declarant went to the said *Redmond*, and spoke to persuade him not to encourage such Fellows; but that *Redmond* called him Low-life Rascal, and told him he was not worth Notice. That he saw *Thomas Lawrence* active to suppress them; that several People were knock'd down by them; that the Sailors were Strangers, and had no Provocation given them by the People to his Knowledge; and that after they were routed, he met *Redmond* again, and charged him with having headed and set them on; upon which a Constable present seized the said *Redmond*, and took him to Prison.

JOSEPH HITCHCOCK.

JOSEPH STILES, of the City of *Philadelphia*, Merchant, being examined in a solemn Manner, declareth and saith, That on the first of *October* instant, between the Hours of Nine and Eleven, in the Morning, he was at the Court-house, where he saw *John Ogden* with a small Stick in his Hand, and heard *William Allen* speak to the said *Ogden* against wearing a Stick; who thereupon laid it aside, as did also this Examinate, and others of the Electors, the Sticks or Canes they usually wear.—That afterwards, standing near *Matthias Aspden's* Door, he saw Capt. *Mitchell*, Capt. *Spence*, and others, talking merrily about Sailors. That *Mitchell* spoke to a Man with a black Cap, and said, *Where are these Sailors?* who answered, Sir, *here they are:* Upon which *Mitchell* went to them, and they soon after advanced with Clubs in their Hands.—That *Thomas Lawrence*, *Anthony Morris*, and *Samuel Preston*, met them, argued with them, and ordered them to begone. That one of them made Strokes at the said *Lawr-*

ence; upon which this Examinate, with *Joseph Rakestraw*, drew near to his Assistance, and were both knocked down.—That the Sailors were Strangers, and had no Provocation from the People, that he has heard of.—That he saw *Abraham Taylor*, *Septimus Robinson*, and *Samuel Hazell*, withdrawing when the People were abused; but did not observe that they took any Pains to suppress the Rioters.—That the next Day, in the Morning, he saw, near *Charles Brockden's* Door, the said *Brockden*, with *Tench Francis*, Attorney-General, and *William Moode*, discoursing; and drawing near, heard *William Moode* ask, What could be the Cause of those Fellows coming to disturb the Election, and abuse the People? To which the said *Francis* answered, *I don't know why they acted in the Manner they did; but this I'll tell you, the Gentlemen of the City heard the Country People would use them ill, and these Sailors were designed for their Assistance;* or Words to that Effect.

JOSEPH STILES.

WILLIAM MOODE, of the City of *Philadelphia*, Cordwainer, being examined in a solemn Manner, saith, That in the Morning of the Day of Election, when the People were about to chuse Inspectors, and *Edward Shippen* proposed they should move from North to South, he heard a Person (whom he takes to be Capt. *Mitchell*, being a square short Man) say, he would fetch the Sailors to flank them. That this Examinate spoke to that Person, and advised him against it, but was not regarded. That he then went to *Septimus Robinson*, and told him what was intended; who said he dislik'd it; and this Examinate thereupon desired him to oppose it. That when the Sailors came up the first Time, this Examinate saw *Thomas Lawrence* and *Samuel Preston* go towards them, and endeavour to keep them back, and to disperse them. That *William Hudson*, being with the Magistrates, was for taking away the Sailors Sticks, and taking hold of one of them, received a Punch in the Belly from him. That after the first Attack ,this Examinate spoke to *Abraham Taylor*, and said, that if the Magistrates would but order the Constables and People to assist them, there were Five Hundred present, who would soon surround the Sailors, and take them Prisoners; But the said *Taylor* rejected the Proposal.—That the next Day, being at *Charles Brockden's* Door discoursing with *Tench Francis*, the King's Attorney, concerning the Sailors, the said *Francis* signified, that they might have been of Service at the Election: And this Examinate

asking how? Said *Francis* answered, *As we had information that some Persons intended to abuse the Gentlemen, it might have been of Service to keep us from being knock'd on the Head;* or Words to that Effect.

WILLIAM MOODE.

JOHN OGDEN, of the City of *Philadelphia*, Tanner, being examined in a solemn Manner, declareth, and saith, That the Inhabitants of the City and Country met on the First of *October*, in a peaceable Manner, in order to the Election; that being among them with a small Stick he usually walks with, *William Allen* persuaded him to lay it by, which he accordingly did. That afterwards, when the Sailors came, and he saw them striking the People, he went to *William Allen, Abraham Taylor*, and *Septimus Robinson*, who were standing by, seemingly unconcerned, and desired them, as Magistrates, to come and assist the People to disperse them; and *William Allen* said, *What can I do in a Mob?* And this Declarant offering to assist the Magistrates, if they would encourage the People, they nevertheless kept standing, without using any Endeavours: save only *William Allen*, who when *James Morris* spoke to him, walked a little Way with the said *Morris* towards the Riot, but presently turned back. And that after the Sailors were beaten and fled, the Magistrates walked off.—This Declarant farther saith, That he looked upon the Sailors to be Strangers, and not Inhabitants of this Place.

JOHN OGDEN.

MATTHIAS ASPDEN, of the City of *Philadelphia*, Merchant, being examined in a solemn Manner, saith, That being on the First Instant in his Balcony, he saw *William Allen, Joseph Turner*, and *Septimus Robinson*, standing at *Evan Morgan's* Corner during the Riot, without offering to endeavour to suppress it. That *Thomas Lawrence* and *Ralph Ashcton* did their Endeavour to that Purpose. That when the People were knoc'd down, the said *Allen, Turner*, and *Robinson*, smiled at one another, and did not seem at all surprized, as others were to whom the Attack was unexpected. That the People were without Sticks when the Sailors assaulted them, and met in a peaceable Manner, and gave no Provocation to the Sailors, that this Examinate knows of.

MATTHIAS ASPDEN.

ROBERT HOPKINS, of the City of *Philadelphia*, Baker, being examined in a solemn Manner, declareth, and saith,

That being in the Street, against the *Jersey* Market, at the Time of choosing Inspectors, he saw a Company of Sailors with Clubs fall upon the People in a violent Manner: That he saw *Anthony Morris* when he was knock'd down; and *Thomas Griffitts*, *Thomas Lawrence*, and *Ralph Asheton*, he saw very industrious in endeavouring to keep the Peace; and that about the latter End of the Riot, a little before the Sailors fled, he went and stood near *William Allen*, believing he might there be safe: and that at the same time he saw *Abraham Taylor*, but he did not see the said *Allen* nor *Abraham Taylor* doing any Thing towards suppressing the Riot: But that when the Sailors were moving off, and came by *William Allen*, one among them, being a squat, full-faced, Pock fretten Man, with a light Wig, and red breeches, as he supposes, said, *Let's give* Mr. Allen a *Whorrah;* and said *Allen* reply'd, *Ye Villians begone, I'll have nothing to do with you.*

ROBERT HOPKINS.

JOSEPH MORRIS, of the City of *Philadelphia*, Hatter, being one of the People called *Quakers*, and solemnly examined, saith, That on the First of this Instant, *October*, between Eight and Nine in the Morning, being in his own House, he heard a Noise in *Front-Street*, and looking out, saw People walking fast up the Street, and *Joseph Turner* running over towards them, without his hat: That he saw the said *Turner* rush into the Crowd, and taking hold of *Israel Pemberton*, shake him violently: That this Examinate heard the said *Turner* call the said *Pemberton* an old Fool, and in a Rage say, *If you want Mobbing, you shall have Mobbing enough (you would not accept of our Proposals last Night) come up to the Court-house, and we'll see it out.* That he afterwards saw the Sailors coming up *Market-Street*, to the Number of Sixty or Seventy, all Strangers, as he judges, armed with Clubs, and huzzaing: That observing Capt. *Spence* amongst them, and to smile, he asked him, What those Fellows meant to do? To which the said *Spence* reply'd, Go and ask them. That after the first Assault, the Sailors came and knocked down People off the Stairs in a barbarous Manner, flinging great stones. That this Examinate called to *Joseph Sims*, and asked him if it was not a Shame? Who reply'd, *It is your own Fault*, &c. That he saw *Joseph Turner*, and *William Allen*, and went and stood near them, believing he should there be safe: That he did not see them do any Thing as Magistrates to suppress the Rioters. That he heard some Person ask *William Allen*, if it was not a Shame such Mischief should be suffered? To which *Joseph*

Turner reply'd, *Why do you call upon* William Allen? *Do you think he will venture his Life?* And *William Allen* added, *No, I have been abused, and will venture my Life for none of You.* That this Examinate spoke to Capt. *Redmond*, and desired him take those Fellows off: who reply'd, *Damn it, what have I to do with it?*

JOSEPH MORRIS.

NICHOLAS CASSEL, of the City of *Philadelphia*, Ship-Joiner, being one of the People called *Quakers*, and solemnly examined, saith, That being at Work on Capt. *Spence's* Ship, at *Burlington*, the Day before the Election, he told the said *Spence* he intended to go down to *Philadelphia;* to which *Spence* replied, *You had better stay here; the Election will be To-morrow, and there will be sad Work; you had better not go.* That this Examinate nevertheless came down, and being the next Morning in Town, he very early saw a Body of Sailors, Thirty or Forty, as he thinks in the Street; and going on board Capt. *Redmond's* new Ship, he asked *Matthew Pinard* what the Men were going to do? Who answered, *They are going to the Court-house; they have provided Sticks, and put them on board the Brigantine.* That afterwards, when the Sailors came up *Market-Street*, he apprehended there would be Mischief, and kept out of their Way. That he saw Capt. *Mitchell*, reaching over a Sailor's Head, knock down one of the People with a great Stick or Club. That *Thomas Griffitts* was active in endeavouring to suppress them. But that at the Time of Capt. *Spence's* giving him the above Advice, he did not think it proceeded from any Thing but the said *Spence's* Desire of keeping him at his work, that it might be speedily finished.

NICHOLAS CASSEL.

SWEN WARNER, of the City of *Philadelphia*, Cordwainer, being solemnly examined, saith, That before the Election came on, he saw a Gang of Sailors with Clubs, and told them, that Sticks were not proper at an Election; who reply'd, *We shall have Occasion for them by and by.* That being at the Election, he heard the Paper read which the Mayor sent, commanding all People there to keep the Peace: That soon after, the Sailors came up in a Body, and *Thomas Lawrence* went to keep them back; and this Examinate went, with others, to his Assistance, where he received three or four Blows. That *Ralph Asheton* was likewise active in suppressing them. That he thinks they were all Strangers, and heard one of them say, *These Damn'd* Quakers, *there are so many of them, we shall never overcome them all.*

SWEN WARNER.

ISAAC ROBERTS, of the City of *Philadelphia*, Bricklayer, being one of the People called *Quakers*, and solemnly examined, saith, That being at Work at the *Indian-King*, between Eight and Nine, in the Morning of the First of *October*, a Company of Sailors (but without Clubs) to the Number of Thirty or Thirty-five, headed by Capt. *Mitchell*, came there, and had a Dram a-piece. That while they were there, *Israel Pemberton*, junior, and *Thomas Lloyd*, came, and called *Mitchell*, desiring to speak with him aside, but he refused to go out; that thereupon they spoke to *Peter Robinson*, advising him not to let them have Liquor; but he said, he kept a Publick-house, and could not refuse it to them. That *Thomas Lloyd* then spoke to *Mitchell*, advising him to take the Men away, and not let them disturb the Election; to which the said *Mitchell* gave a surly Answer. That at the Choice of Inspectors, the Sailors came up the *Jersey* Market in a Body with Clubs; that hearing a Noise, and seeing some Women look frightened in a Balcony, this Examinate ran down the *Jersey* Market, where he found *Israel Pemberton* on the Ground, and a Sailor on him, whom he took off, and threw away. That he saw *Swen Warner*, and others, knock'd down; and the People flying, the Sailors came up to the Court-house, to the Number of Fifty or Sixty, as he thinks.

ISAAC ROBERTS.

CADWALADER EVANS, of the City of *Philadelphia*, Apprentice to *Thomas Bond*, of the said City, Physician and Surgeon, being one of the People called *Quakers*, and examined in a solemn Manner, saith, That on the First of *October*, in the Morning, he was at the Election, and saw the Sailors come up in a Body, knocking the People down; but being called home to dress a wounded Man, he did not go out again to see how it ended. That in the Afternoon he went to the Prison, by Order of Doctor Bond, to dress the Sailors Heads; and some of them complaining of the Soreness, he told them it was a just Reward for their insolent Conduct, but that those who set them on deserved it more; to which one of them answered, *It is very true, Sir.* That *Forty Shillings* was brought to the Prison, and handed to the Sailors to drink the first Night of their Commitment, but this Examinate knows not who brought it. And being ask'd who employ'd Doctor *Bond* to take Care of the wounded Sailors, he saith, *William Plumsted*, and Capt. *Northover*, as he supposes.

CADWALADER EVANS.

THOMAS CROASDALE, Deputy Sheriff, and Keeper of the Prison at *Philadelphia*, being solemnly examined, saith, That on the First of *October*, the Day of Election, Fifty-three or Fifty-four Sailors were brought to Prison, and he had orders from the Magistrates to keep them safe. That Capt. *Redmond* being among them, told this Examinate that he had that Morning met *Mitchell* by the Church in a violent Passion, having a naked Hanger in his Hand, which he the said *Redmond* took from him; adding, I believe his Design was on young or old *Israel Pemberton*, and if I had not taken the Hanger, he would have used it in the worst Manner. This Examinate farther saith, that he could not get out of the Sailors who set them on, and believes they were caution'd to be secret. And that after Capt. *Redmond* was bail'd, he ordered them *Twenty Shillings* a Day to be distributed among them in Necessaries for three Days. That the Day following *Clement Plumsted*, *Thomas Lawrence*, and *Samuel Hazell*, Magistrates, came to the Prison, and examined the Sailors, and discharged four of them, and the *Second Day* following Twenty more.

THOMAS CROASDALE.

JOHN MIFFLIN, of the City of *Philadelphia*, Merchant, being solemnly examined, saith, That on the first of *October*, about Eight in the Morning, being on board the *Hanover Pink*, Capt. *Northover*, he saw the Sailors making Clubs; and asking what they made them for? they said, to go to the Election. That this Examinate then told them, they were about Mischief; and that they had no Business nor Right at the Election; but they reply'd they had. That upon Enquiry of the Boatswain of the said Ship, This Examinate was then told, that two Gentlemen came along-side the Night before, and engaged the Sailors to come to the Election, and promised them Money and Drink. That afterwards he saw Thirty-six Sailors go over the Bridge to *Clement Plumsted's* Wharff, and put their Clubs on board a Brigantine. That when the Election began, the People being very peaceable, he saw the Sailors come up in a Body, Sixty or Seventy in Number, as he thinks; that they struck at *Thomas Lawrence*, and others, who were endeavouring to keep them back, before any of the People struck at them: And that he saw *Thomas Lawrence* and *Anthony Morris* active in endeavouring to keep the Peace; but that *William Allen* and *Joseph Turner*, stood looking on, without using any Endeavours, that this Examinate perceived, to that Purpose.

JOHN MIFFLIN.

JOHN MITCHELL, of the City of *Philadelphia*, Shoemaker, being solemnly examined, saith, That on the First of *October*, about Ten a Clock in the Morning, he saw the Sailors come up to the Market-house, and knock down several People. *Anthony Morris*, among others; that he heard *John Hyatt*, the Sheriff, call for the Constables to suppress them, and saw *Charles Willing* and *Edward Shippen* assisting him. That after the first Attack, the Sailors being retired, this Examinate went towards *Peter Stretch's* Corner, in *Chestnut-Street*, and standing there, saw the Sailors come up that Street, and heard Capt. *Redmond* speak to one, whom he call'd Mate, saying, *Damn you, go and knock those* Dutch *Sons of Bitches off the Steps.* That the Sailors went up *Second-Street* towards the Market, and this Examinate with them, but that Capt. *Redmond*, as he thinks, went up *Strawberry Alley*. That he there saw them knock down several from the Steps; but great Stones beginning to fly, he left the Place, and returned home.

JOHN MITCHELL.

THOMAS BURGESS, of the County of Phiadelphia, Merchant, being examined, in a solemn Manner, saith, That on the First of *October*, at the Election, he saw several People knock'd down by the Sailors; that the People were peaceably met, and had given no Provocation to the Sailors, who were Strangers. This Examinate spoke to some of them, saying, *Brothers, you'd better go on board your Ships; or you'll be in bad Bread before Night;* to whom one of them reply'd, *D——n you, we have nothing to say to you, but to the Broad-brims and* Dutch *Dogs.*

THOMAS BURGESS.

THOMAS LIVEZEY, of the County of *Philadelphia*, Yoeman, being one of the People called *Quakers*, and solemnly examined, declares, That in the Beginning of the Disturbance on the First of *October*, at the Election, he saw *William Allen* and *Abraham Taylor* standing at *Morgan's* Corner, and said to them, *Why do not you, being Magistrates, endeavour to suppress this Riot? a Word from you would do it.* To which they made little or no Answer; nor did this Declarant see them do any Thing towards suppressing it, but observed them to smile, as if it had been a Matter of Diversion. That this Declarant then went towards the Sailors, and saw them striking at the Constables, and several of the People knock'd down: and a Constable retreating, after his Staff was broke, a Sailor followed him up, and Capt. *Redmond* Clapping the Sailors on the Shoulder, said, in this Declarant's Hearing, *Go on, Boys, I'll*

stand by you. That the Electors were met in a peaceable Manner, and remain'd so till they had been much abused, having nothing in their Hands, not so much as a Whip. That the Sailors were Strangers to this Declarant, he not knowing any of them: And further saith not.

THOMAS LIVEZEY.

WILLIAM ANNIS, of the City of *Philadelphia*, Mariner, being examined in a solemn Manner, saith, That on the First of *October*, in the Morning, about Seven or Eight a Clock, he was discoursing with *Peter Baynton* near *Samuel Powell's* Wharff, when he heard a loud Huzza; and looking towards the Bridge, he saw a Body of Seamen, Fifty or Sixty, as he supposes, arm'd with Clubs: That he ask'd *Peter Baynton* the Meaning of it; who answered, *I know not, unless it be to show the Necessity of a Militia.* That this Examinate went to the Mayor's, and was standing with him at his Door, when the Sailors came up and stopped there to make a Huzza. That he told the Mayor it was disorderly Thing; but did not observe that he shew'd any Sign of Disapprobation. That being afterwards in the Mayor's House, several Persons came in from the Election, and one said, *The Seamen were beating the People, and that* Anthony Morris *was knock'd down*: And *Samuel Powell* being present, would have had something done to discourtenance them; but the Examinate does not remember that the Mayor either said or did any Thing to discourage or encourage their Proceedings.

WILLIAM ANNIS.

SAMUEL MORRIS, of the County of *Philadelphia*, Miller, being solemnly examined, saith, That on the *Seventh Day*, the Twenty-third of *October*, being at *William Allen's*, and talking with him about the Tumult that was on the Day of Election, the said *William Allen* took Notice, that his Character had been much injured on that Account, it being reported that he had been guilty of contriving and encouraging the Riot; whereas, he said, he had rather discouraged it; and that he knew nothing of such a Design till about Nine a Clock the Night before the Election, when, being in Company, it was said, that a Thousand *Dutchmen* were come to Town, and there being no more than Four Hundred naturalized in this County, it was apprehended the others were designed to insult the Electors; and that therefore it would be proper to have a Body of Sailors in Readiness to defend them; but that he the said *Allen* spoke against it, as a Thing that might be of ill Consequence, and discouraged it. This Examinate farther saith, that being

this Morning again in Company with the said *Allen*, he ask'd him if he remember'd the Conversation they had had concerning the Riot, and repeated it as he remember'd it to the said *Allen*, who acknowledg'd it to be as he repeated it, except in one Circumstance, *to wit*, That it was not the Night before, but the *Seventh Day* Night after the Riot, that he was at the Club, and enquiring how the Sailors came to be raised, who contriv'd it, and why he was not informed of it? He was then told, as above, that they were raised to be in Readiness for Defence, in case the great Numbers of *Dutch*, who were come to Town, should offer them any Insult, the Club being informed, that near a Thousand were in Town, and but Four Hundred were naturalized, and had a Right to vote. And the said *Allen* added, that what he had said relating to any Disturbance that might happen, was as a general Caution that nothing of the Kind might be raised on their Side, for he knew the Disposition of the Country People so well, that he was sure, if any Disturbance happened, they would conclude it was from the Gentlemen of the Town; and particularly at a Time when the Governor was present, who also advised they should take the said *Allen's* Advice, as one that knew best; or to that Purpose. And this Examinate being ask'd, Whether he thinks the said *Allen* did, in their first Conversation, mention the Night before the Election, or the *Seventh Day* Night after the Election, as the first Time he knew of the aforesaid Contrivance? answers, that he did understand him to say the Night before the Election, and to the best of his Remembrance it was so; but that it is possible he may be mistaken, as the said *Allen* assures him he was not out of his House, but at home all the Evening preceding the Election.

SAMUEL MORRIS.

THOMAS LAWRENCE, Esq; of the City of *Philadelphia*, Merchant, and one of the Aldermen of the said City, declareth and saith, That on the First of *October*, in the Morning, being at his Door, Capt. *Thomas Lloyd*, *Joseph Wharton*, and *John Reynell*, came and informed him, that a great Number of Sailors were gathered together on board a Ship armed with Clubs, and that it was apprehended they designed some Mischief; desiring his Aid and Authority, as a Magistrate, to suppress them. That he presently observed some Sailors coming up Street; and the Recorder standing at his Door in Sight, he went with the said *Lloyd*, *Wharton and Reynell*, to him, and told him the Complaint; and the Sailors then coming by, this Declarant spoke to them, and told them, that they made an

uncommon Appearance; and as it was on the Day of Election, it was apprehended they had some ill Design. They reply'd, they had no Design of giving any Body Offence, but having got a Holiday, they were going out of Town to be merry: That he told them, he doubted the Truth of what they said, let them know he was a Magistrate, and assured them he would certainly commit them to Prison, if they made any Disturbance: But they insisted they were going into the Country, and would make no Disturbance at all. That the Recorder likewise spoke a good Deal to the same Purpose.—That at the Election of Inspectors, this Declarant was told the Sailors were gathered in *Porteus's* Saw-yard, and seemed very much heated with Liquor; and going thither, saw them armed with Sticks and Clubs; that he demanded the Reason of their appearing in that Manner; what they meant to do with those Clubs, and why they were not gone into the Country; as they had promised in the Morning? To which they made little other Answer, than that they would hurt Nobody. That he then charged them not to come to the Election; and again assured them, that if they made the least Disturbance, he would certainly commit them. That going thence, he went up into *Evan Morgan's* Balcony, from whence he could overlook the People, and discover the Beginning of any Disturbance, if such should happen. That he was there presently informed, the Sailors were coming up *Front-Street;* and going down into *Market-Street*, he saw them coming up towards the People, in a riotous Manner, brandishing their Clubs, swearing and cursing. That he went and met them, and commanded them to depart, as they had no Business at the Election: But they said they would do no Harm, and pressed forward; he then threatened to commit them, if they did not immediately begone. But they swore they would march up; and presently they began to strike at *William Hudson*: That he desired the said *Hudson* to go away back, and let him talk to them; which this Declarant did, sometimes using Persuasions, and sometimes speaking harshly; but with little or no Effect, they being in Drink; and one of them striking at him, and knocking down several that were near him, the Constables came to defend him, one of whom had his Staff, and another his Head, broke: That the Sailors soon after gave three Huzzas, and marched off towards the Waterside; but in a little Time returned up *Second-Street*, and fell upon the People in a violent Manner, striking unmercifully, and knocking down all that came in their Way, throwing great Stones, *&c.* But at length the People turned upon them, and

routed them; and this Declarant assisted in seizing and committing them to Prison. And further this Declarant saith, That the Inhabitants were peaceably carrying on the Election, when they were thus assaulted, gave no Provocation to the Sailors, and were quite unprovided with any Thing for Defence. That the said Sailors were all Strangers, and had no Right to vote, or meddle with the Election. That he saw Capt. *Redmond* amongst them, as they were beginning to fall on the People, and reproved him for it. That he saw Capt. *Mitchell* also busy amongst them when in *Porteus's* Saw-Yard, acting as a Commander; and this Examinate advised him to discharge them, and threatened to commit him, if they did any Mischief. That he also, during the Riot, saw *Abraham Taylor* and *William Allen* standing at the Place of Election.

THOMAS LAWRENCE.

JOSEPH RAKESTRAW, of the City of *Philadelphia*, Carpendar, being solemnly examined, saith, that early in the morning of the First of *October*, he saw a great Number of Sailors near the Prison, who made a riotous Appearance; that afterwards hearing they were gathered near the Church, he went thither and saw them armed with Clubs; and threatning them, that if they made any Disturbance they would be committed, one who appeared to be the Head of them, and was called *Mitchell*, pushed this Examinate, and abused him. That he went thence to *Evan Morgan's* Corner and seeing *Joshua Maddox*, told him, there would certainly be a Riot, if he, as a Magistrate, did not endeavour to disperse the Sailors: That the said *Maddox* answered, *What can I do? I am an old Man; if they break the Peace, bring them before me, and I'll commit them;* or Words to that Effect. Then he spoke to Capt. *Redmond* about them, and he said they were quiet People, and would hurt no Body, and he would answer for their Transactions. That afterwards, when they came up the *Jersey* Market, this Examinate went to assist the Sheriff and Alderman *Lawrence* in opposing them, and was very much hurt by a Blow he then received in his Head from them. That the said Sailors were Strangers, and had no Provocation from the People, who were peaceably carrying on the Election when assaulted.

JOSEPH RAKESTRAW.

ARTHUR TOUGH, Commander of the Ship *Industry*, now lying in the River *Delaware*, being solemnly examined, saith, That the Night before the Election, about Eight a Clock, he met two Gangs of Sailors, and knew them to belong to the

Hanover and the *Bath*. That the next Morning, when the Sailors were gathering, he suspected some Mischief was on Foot, and gave his People a Charge not to go ashore till the Afternoon; promising to treat them, if they staid on board and minded their Business. That going ashore himself, to get a Servant assigned before the Mayor, he found the Mayor writing something which was to be read to command the Peace; and said to him, *Friend* Plumsted, *It would be best to send to* Northover, *and* Lewis, *and order them to keep their People on Board: These Sailors are unlucky Fellows when they get ashore; but their Captains have Authority over them, and may keep them on board.* To which the Mayor answered, *'Tis an Holiday, and they have a Right to come on Shore.* But this Examinate replied, he knew of no such Holiday, nor of any Holiday that could dispence with the Attendance of Sailors on board their respective Ships, if their Captains required it. On which the Mayor smiled, and said, *I hope you don't lean as* Tom Lloyd *does.* But this Examinate replied, He leaned no Way, but walked upright, being come hither only to trade and mind his own Business.—That going from the Mayor's, he understood that the *Hanover's* People had been and fetched his Sailors on Shore: That he went to *Peter Robinson's* to look for them, but they were gone, having all had a Dram a Piece, as this Examinate heard. That afterwards, being in *Front-Street*, he saw the Mob of Sailors come by, and his People among them; and calling one, he told him the ill Consequences that might attend their Proceeding in that riotous Manner, and sent him to tell the rest, and advise them to come out of the Mob, and go to a Tavern, and he would order them some Drink; that they came all away from the Mob accordingly, and went to the *Turk's Head*, and remained quiet during the Riot, and afterwards went peaceably on board.—This Examinate farther saith, That he thinks there were about Seventy Sailors that composed the Mob.

ARTHUR TOUGH.

ISAAC GRIFFITTS, of the City of *Philadelphia*, Merchant, being solemnly examined, saith, That on the First of October, in the Morning, before the Assault made on the People by the Sailors, he saw Capt. *Spence* and Capt. *Mitchell* taking opposite to *Moore's* Door, in *Second-Street*, and going to them, heard *Spence* say to *Mitchell*,——*You had better not;* ——*stop.*——To which *Mitchell* replied, *By G d I will;* and went away. That afterwards, when the People were peaceably proceeding in their Election, the Sailors came up and assaulted them. That this Examinate hearing a Woman that lived at

Spence's knew something of the Contrivance of the Riot, went and asked her about it; but she only told him, that it had given Capt. *Spence* a great Deal of uneasiness, and made him very anxious: That after the Riot, *Spence* had concealed himself in the House of one *Alexander*, a Blacksmith; and that *Mitchell* coming home, locked himself up, with Pistols, and sent her, the said Woman, to tell Capt. *Spence*, That if he, the said *Spence*, would surrender himself, he *(Mitchell)* would surrender likewise. And that Capt. *Spence* afterwards coming home, seemed much concerned, and said, he was sorry he had been made a Cat's Paw.—And this Examinate being ask'd, where the said Woman now is? saith, That Capt. *Spence* has told him she is gone off, and gone to *Antigua*.

ISAAC GRIFFITTS.

BENJAMIN PASCHALL, of the City of *Philadelphia*, Cutler, being solemnly examined, saith, That on the Morning of the First of *October*, he saw the Sailors before the Church near his Door, and *Israel Pemberton*, with *John Reynell*, coming up Street towards them, they pressed close to the Church Wall; and the said *Reynell* and *Pemberton* returning towards the Market, he heard one of the Sailors say, *By G—d we'll kill Pemberton;* and others answered, *So we will*. That just before the choice of Inspectors, he saw *Mitchell* among the People, appearing in a quarrelsome Humour. That afterwards when the Sailors were beating the People, he saw *William Allen*, and *Septimus Robinson*, standing at *Morgan's* Corner, and heard Application made to them for suppressing the Riot; and *Septimus Robinson* said, he thought the Sailors had as good a Right to be at the Election as the unnaturalized *Dutchmen;* and did not do any Thing towards suppressing the Rioters. And *William Allen* said, *This is their own Doings; they would not agree to the Proposal about the Inspectors*. And this Examinate farther saith, That the People were very peaceable, and without any Sticks, and kept still for a considerable Time after they were assaulted and abused by the Sailors.

BENJAMIN PASCHALL.

RICHARD HOCKLEY, of the City of *Philadelphia*, Merchant, being solemnly examined, saith, That he saw some Sailors, to the Number of Fifty, or thereabouts, on the First of *October*, with Clubs in their Hands, come up towards the Court-house, and, in a riotous Manner, knock down several

People, particularly *Anthony Morris*, a Magistrate; that he saw *Israel Pemberton*, senior, and *John Bringhurst*, receive several Blows; and saw a Blow aimed at *Samuel Preston* (which was warded off by *Henry Hodge*) without any Provocation; and believes these Sailors were set on by some Persons, from the Conversation and Hints he has heard amongst his Friends; but as that passed in some of their Houses, chuses not to declare all he has heard, as thinking it not just; but has a shewd Suspicion who were the Abettors of this Riot. And this Examinate farther saith, that he made Application to the Mayor, and told him of the Riot that was then committing at the Court-house, and that Numbers of Persons publickly said he was at the Bottom of the Affair, and supposed to have encouraged them: And the Mayor, in Answer to this, said, Upon Application to him made in the Morning by some of the House-keepers, that they were informed a Number of Persons intended to be riotous, and disturb the Electors in the Choice of their Representatives, he immediately sent a Paper to be read, and which was accordingly done at the Election; and that he himself had seen the Sailors pass by his House, but ordered them to behave themselves quietly, and make no Disturbance, and had done all in his Power. And further this Examinate saith. That the Electors were met in a peaceable Manner, without Sticks, or Weapons of any Sort, and gave no Provocation to the Sailors, that he knows of, to use them in that scandalous, abusive Manner.

RICHARD HOCKLEY.

WILLIAM LOGAN, of the City of *Philadelphia*, Merchant, being solemnly examined, saith, That going up to the Funeral of *Jeremiah Langhorne*, he had some Conversation with *William Allen*, who told him, that he the said *Allen* was blamed by the People as an Author of the Mob; but, he said, he knew nothing of it; and if any One could prove any Thing in the Affair had been done with his Privity or Procurement, he would forfeit any Thing, even his Honour itself. And that the said *Allen* added, he believed that some Persons, who apprehended something from the *Dutchmen*, might have got those Fellows to defend them in case of any Insult, but he knew nothing of it, nor was privy to the Design, and believed the Mischief was occasioned by *Mitchell's* Indiscretion. And farther this Examinate saith, That the said *William Allen* acknowledge, that *James Morris* had applied to him to assist in suppressing the Sailors, and that

he had commanded the said *Morris*, in the King's Name, to go with him; but that he the said *Allen* was in Jest, and thought it a Joke; and when he went to the Corner, the Sailors were gone. That afterwards, when he would have gone against them, *William Masters*, and others, would not suffer him; but when he did go to them, he called them Rascals, and bid them begone, or he would put the Laws in Execution against them.

WILLIAM LOGAN.

JOHN KOSTER, of the City of *Philadelphia*, being solemnly examined, saith, That on the First of *October*, as he was going to the Election, near *Benjamin Paschall's* Shop, he heard *Septimus Robinson* say, there were Five Hundred *Dutchmen* come to Town, who had no Vote; and the Sailors just then coming by, *Benjamin Paschall* asked, *What the Sailors did there? or what they were design'd for?* And the said *Robinson*, answered, *We got these Sailors to answer those* Dutchmen. And this Examinate being particularly asked, whether *Septimus Robinson* used the Word *We*, in the Answer he made to *Paschall*, saith, That he did use that Word.—And farther this Examinate saith, that he afterwards saw the Sailors striking the People at a Distance, and *Abraham Taylor*, and *William Peters*, standing unconcerned, without offering any Assistance. That the Sailors were Strangers; and the People without Clubs, and peaceably disposed.

JOHN KOSTER.

PRESTON CARPENTER, of the City of *Philadelphia*, Cooper, being solemnly examined, saith, that on the First of *October*, being at the Election, he saw the Sailors come up and fall upon the People, striking at *Israel Pemberton*, and knocking down several. That when they retreated, he followed them down to *Charles Read's* Corner, and standing among them, heard one of them say, *There goes a Parcel of* Quaker *Sons of Bitches; they are the Men we want; Men with broad Hats, and no Pockets.* That after they were routed he saw *Thomas Lawrence* active in seizing and committing them to Prison.

PRESTON CARPENTER.

SAMUEL BURGE, of the City of *Philadelphia*, Sadler, being solemnly examined, saith, That some Time before the Day of Election, being in the *Jersey* Market with *John Langdale*, they met Doctor *Thomas Bond;* and talking of the ensuing Election, Doctor *Bond* said, *The Method of*

stopping the Stairs, used several Years past, is not right: You kept them last Year, but we will keep them this Year. And Captain *Redmond* standing by, the said *Bond* added, *Here is a Man will keep them:* To which *Redmond* replied, *Ay, ay; we will keep them.* That thereupon this Examinate said to *Redmond*, *'Tis reported you are to bring a Number of Sailors to the Election; but if you do, you will find there will be enough, Men of Spirit, to fling them and you over the Rails.* That at the Day of Election, in the Morning, about Nine a Clock, as this Examinate was crossing near the Prison, he saw Capt. *Spence*, with a Number of Sailors, and heard him say to them, *My Lads, be all ready, and don't be out of the Way.* And *Abraham Mitchell* asking the said *Spence*, for what Reason so many Sailors were got together, *Spence* answered, *I am going to launch my Ship at* Burlington, *and these Fellows are going up to assist at the Launching.* That there were, as this Examinate supposes, Fifty of them armed with Clubs: And that he afterwards saw them fall upon the People at the Election, and knock down *Anthony Morris*, and others; notwithstanding the Endeavours of *Thomas Lawrence* to suppress them.

SAMUEL BURGE.

RICHARD EDWARDS, of *Chichester*, in *Chester County*, Mariner, being solemnly examined, saith, That some Days after the Election, being in Company with one *Lazarus Sampson*, Master of a Schooner from *New-England*, the said *Sampson* told this Examinate, that on the Morning of the Election, he hauled his Vessel along-side of a large Ship at the End of *Carpenter's* Wharff, when he saw a Man come down and talk to the Sailors of that Ship; and that he understood (either from that Man, or from the Sailors) that they were then offered *a Hundred Pounds* if they would overset the Election; and farther, the said *Sampson* added, that after the Election, when the Sailors were committed to Prison, he understood they were offered *Thirty Pounds* more if they would keep Secresy. This Examinate farther says, That *Jeremiah Warder*, Hatter, was present when the said *Sampson* thus expressed himself, and told him, if he would prove what he then asserted, he would give him a Beaver Hat; to which the Captain answered, I could easily prove it, and could say more, but being a Stranger, do not care to meddle in the Affair.

RICHARD EDWARDS.

JEREMIAH WARDER, of the City of *Philadelphia*, Hatter, being solemnly examined, saith, That on the next *Second Day* Evening, after the Election, being at *Three Tuns*, in Company with *Richard Edwards*, a Shallop-Man, and a *New-England* Captain of a Vessel, which came consigned to *Mifflin*, the said Captain informed them, that he understood by some Sailors they the said Sailors were to have *a Hundred Pounds* to overset the Election. And afterwards the said Captain talked of the Sailors having (after their Commitment) *Thirty Pounds* offered to keep all Secret: But this Examinate does not remember whether he said he had heard so from the Sailors, or that it was his Opinion. And that the said Captain added, he was a Stranger here, and did not care to Meddle; but if he had as much to do as some others, he did not question but he could find out the Authors.

JEREMIAH WARDER.

THOMAS LEECH, one of the Representatives for the County of *Philadelphia*, in the present Assembly, being examined, declareth, and saith, That he went about Nine a Clock, on the First of *October*, to the Market-place, and found a great Number of People gathered together, in order to choose Inspectors; and those that were caled the Old Assembly-Party, were mostly ranged in a close Body together, on the North Side of the Court-house, and in the *Second-Street* adjoining, as had been before agreed upon, in order to prevent Confusion and Disorder in dividing. That in passing through the Crowd, before the Court-house Door, he joined Mr. *Allen;* and, after some transient Discourse about the ensuing Election, and intimating to him his Desires that the same might be carried on peaceably, without any Manner of Disturbance, said to him, That the Old-Assembly-Party were fully purposed to give no Occasion; and therefore had agreed, that no Person on their Side should bring in his Hand to the Place of Election a Cane, Stick, Whip, or even a Switch; or Words to that Effect. And as they passed through the Crowd together, they discovered a Person with a Walking-stick, which they desired him to lay aside; who said he was lame, but promised, nevertheless, he would, or go away.—That some Time after, this Declarant hearing that a Number of Sailors were gathered together near the Place of Election, and apprehending there might be some Design to disturb the Election; and seeing several Magistrates standing at *Morgan's* Corner, he went there, and applied himself to *Septimus Robin-*

son, in some such Manner (the King's Attorney standing close by) *You as a Magistrate ought to disperse these Sailors; they have no Business here, especially with Clubs.* What Answer he made, this Declarant cannot well tell; but the King's Attorney took it up, and said, *They have as much to do here as your* Dutchmen *or* Palatines: or something to that Effect; and that the Magistrates had nothing to do with them, as they had not broke the Peace. This Declarant answered, that they were come armed, and kept in a large Body together, which shewed as if they had a Design to break the Peace; and that they might be easier suppressed now, than after a Riot was begun. To which he answered somewhat in the same Manner, with some Addition, very warmly. To which this Declarant made Answer, *You, as King's Attorney, ought to use your Endeavour to keep the Peace; but this seems more like encouraging, and promoting a Breach thereof; and if you talk after such a Manner, you are an Abettor and Encourager of those Sailors, and I look upon you as such, and shall take Notice of it.* To which he returned a very gross Answer, full of Wrath and Anger in his Countenance. And forthwith this Declarant applied himself to Judge Graeme, in Words to this Effect, *You are one of the Supreme Judges of this Province, and you ought to use your Endeavour to disperse these Sailors, otherwise there will be Bloodshed this Day.* But what Answer he made, or whether any, this Declarant cannot say. From him this Declarant immediately turned to Mr. *Allen*, and spoke to him in some such Words as before; who professed himself willing to use his Endeavours to disperse them. But some Noise arising hard by, this Declarant left him, and went to see what was the Matter; and saw him no more at that Time. That after the Poll began, this Declarant went to the Sailors on the North-side of the Court-house, in order to keep the Electors from crowding up on that Side, and to advise them to go up on the South-side, and come down on the North-side, which would be far the easiest Way for Dispatch. And soon after, this Declarant heard a very great Noise, and crying-out; whereupon he stept up into the Half-pace of the Stairs, on the North-side of the Court-house to see what was the Matter: and, to his Amazement, saw a great Number of Sailors, with large Clubs, beating and knocking down the People in a most barbarous and inhuman Manner, and in an Instant cleared all the Space before the Court-house, and then fell on the Electors at the Foot of the Stairs with their Clubs, beaing

down all, without Distinction; the People running up the Stairs to escape them, were so Jambed up, they could not stir, nor help themselves, not one having any Thing in his Hand to defend himself with: This Declarant being at the same time a Step or two above the Half-pace, seeing all below him beat down, called out to them in the Coort-house, to hand out something wherewith they might defend themselves, and not see them knocked in the Head in such a barbarous Manner; immediately one from the Window handed out four or five Constables Staves, which this Declarant and some others taking, struck at the Sailors, but they jumped back, and fled to the other Side of the Stairs, and then this Declarant went down the Steps, and walked away along the Butchers Shambles, and saw none of the Sailors that Way: so went into *Hugh Robert's;* and soon after, the People came running along before the Door, and the Sailors after them with their Clubs, beating and knocking down all they came up with. That then this Declarant went through *Hugh Robert's* Back-yard into the *Church-Alley*, and through *John Leech's* House into the *Second-Street;* and just at that Time the People were running up that Street, and the Sailors after them, knocking down all they overtook, as before. Then this Declarant went to the People, as they were in a Crowd against the Church, and spoke to them, *viz. This will never do, to be beat about after this Manner; let us every one arm with Billets of Wood, or any Thing that comes to Hand, and drive these Sailors off the Ground.* At that Interim came a Person running with an Arm-full of Hoop-poles, cut into suitable Lengths, and threw them down; with which they immediately armed themselves, and ran towards the Market-place; whom when the Sailors saw coming, and at the same Time another Company in like Manner armed coming from another Quarter, they immediately took to their Heels, and ran away; many of whom were taken before they got to their Vessels, and some of those that did get on board, were brought ashore by the People, and carried to Prison; and afterwards the Election went on in a very quiet and peaceable Manner.—This Declarant saw nothing of the first Fray, being in the Crowd on the North-side of the Court-house all the while the Inspectors were choosing.

EDWARD WARNER, one of the Representatives for the County of *Philadelphia*, in the present Assembly, being examined, declared, as follows, *viz.* About Nine a Clock in the Morning, on the First Day of *October*, 1742, going to the

Court-house to the Election, I saw near the Church, as near as I could guess, Thirty or Forty Sailors, making a great Noise; passing by them, and coming near *Francis Knowle's* Corner, saw *James Bingham* and a Mate of a Vessel talking of Sailors near the Church, which made me stop; the Mate seemed much concerned for the Sailors, saying, *Them Fellows, I fear, will bring themselves, into Trouble; they know not what they are going about; I have been amongst them; they are all Strangers to me; I desired them to go aboard their Vessels again, it would be better for them. They answered, We were last Night desired by two Gentlemen to be here early in the Morning with Clubs:* Hearing that, I asked the Mate if the Sailors knew the Gentlemen: He answered, they told him they did not. I said to *James Bingham*, who seemed surprised, *It would be well if thee would go and acquaint thy Master* Allen *of the Sailors, and what the Mate relates; I think they might be easily dispersed.* Looking up Street, I saw *Septimus Robinson* crossing the Street between us and the Sailors; I left that Company to meet him, and at *Joshua Johnson's* Door met him, saying, *Septimus Robinson, see what a Number of Sailors is there met; they must have some ill Design in them, I think, to disturb the Election; as thee are a County Magistrate, use thy Endeavour to disperse them, which I think is not difficult to do. Septimus Robinson* answered, *What would you have me do?* I answered him, *Order them on board their Vessels, to prevent Mischief that may happen if they are not dispersed.* Many Words more of this nature passed, and a great Number of People gathering, I left him: Passing near the Court-house Corner, saw *William Allen;* I went to him, and acquainted him there was a large Number of Sailors near the Church; that it was thought they had some ill Design, and that if Care was taken, they might easily be dispersed: *William Allen* answered, *What can I do? There is more than me.* A Man standing by said, *There is* Thomas Lawrence yonder. I went to speak to him; but before I could get through the Crowd, I saw *Thomas Lawrence* going up Street towards the Sailors, which by that Time were moved into the Saw-yard. The Election began, the People that were for no Change in the Assembly, had agreed that the Election should be carried on very quietly and peaceably on their Side; the Sheriff, as a good Officer, had a large speaking Trumpet to speak through, that the farthest of the Company might hear plainly what was said; which Trumpet was made Use of to that Purpose, in

desiring all those that were not Free-holders to come out of the Company, that the Electors might have free Liberty; a Lane was made through the Company for that Purpose. Some sober antient Men being near the Court-house on Purpose to advise People to Peace whilst the Inspectors were choosing, there came a large Number of Sailors up *High-Street* towards the Court-house with Clubs, abusing and knocking down many People as they came along. The Inspectors being chose, I left the Company, and seeing *William Allen* and *Septimus Robinson* near *Morgan's Corner*, said to them, *Now you see there is great Reason to suppress these Sailors, for they have abused many of the Inhabitants; and if some Care be not taken, it is much but they will come back and do more Mischief.* *William Allen* was silent and said nothing; but *Septimus Robinson* made Answer, *There are more Magistrates than us.* I went into the Court-house; soon after there was a great Noise about the Court-house, the Sailors were come again in a great Number, knocking down all that came in their Way.

JAMES MORRIS, one of the Representatives for the County of *Philadelphia*, in the present Assembly, being examined, declared, and said, On the First of *October*, about Nine in the Morning, near *Evan Morgan's* Door, I saw *John Fisher* and *Joseph Rakestraw* speaking to *Joshua Maddox* and heard them desire his Assistance as a Magistrate in preventing the Sailors, who were then near the Church, from coming to the Place of Election, for that they were apprehensive the Sailors had some ill Designs: He answered, *What can I do? I am an old Man; if they break the Peace, bring them before me and I'll commit them:* Capt. *Redmond* was present, and said, *You need not be uneasy, the Sailors are quiet Men, and will not hurt any Body;* adding, *I will be answerable for their Conduct to Day.* About Ten or Eleven a Clock, standing in the Crowd in *Second-Street*, at the Election of Inspectors, a little above *Thomas Campbell's* Corner, I saw a great Number of Sticks lifted up by Persons on the South-side of the *Jersey* Market; enquiring into the Cause, was told that the Sailors were knocking down the Inhabitants; and seeing *William Allen*, *Abraham Taylor*, and *Septimus Robinson*, standing near *Evan Morgan's* Corner, I went to them, and told them, that the Sailors on the other Side of the Street were beating the Inhabitants, and requested them, as Magistrates, to exert their Authority, and prevent farther Mischief: They said, *You have a great many* Dutch *that are not natural-*

ized, and the Sailors have as much Right to be here as the unnaturalized Dutch; *if you had taken up with the Proposal that was made of choosing four Inspectors on each Side, this might have been prevented; it is your own Fault,* I endeavoured to shew the Unreasonableness of such a Proposal, and *Septimus Robinson* said, that *Samuel Parr* was gone up to make the Proposal again; as I understood it, he meant gone up to the Court-house. I continued to press the Magistrates to their Duty, particularly *William Allen;* who in an angry Manner said, *What Right have you to speak to me? I am not to be directed by you;* and then turned away: I followed him, and said, that as he was Recorder of the City, I had Right to apply to him for his Assistance to suppress a Riot, and that it was his Duty to preserve the Publick Peace; he then clapped me on the Shoulder, and said, *I command you in the King's Name to go and assist me.* I said I would chearfully go, *come along,* he went a little Way with me towards the Sailors, but by the Time I got to *Evan Morgan's* Corner, I looked back, and perceived the Recorder standing near the Place where he stood when he commanded me to go and assist him. *Samuel Preston,* one of the Aldermen, at that Instant coming from the Crowd where the Sailors were, I spoke to him, and desired him to press the Recorder to his Duty; he spoke to the Recorder, but could not prevail with him; the Recorder saying, *You have brought it on yourselves, why had not you agreed to the Proposal of choosing four Inspectors on a Side* (Words to that Purpose). Hearing that, I gave over further Application, and assisted at the Choice of the remaining Part of the Inspectors. After all the Inspectors were chose and qualified, and the People on the Court-house Stairs carrying up their Votes, I saw the Sailors coming down *Market-Street,* beating and wounding the Inhabitants in a barbarous Manner, and driving them off the Court-house Stairs. I endeavoured to persuade the Sailors to go on board their Ships, but they said, *You are damned Quakers, you are Enemies to King* GEORGE, *and we will knock you all in the Head;* and would not go on board unless Two of their Company were delivered to them, that, as they said, were confined in the Court-house: Upon Enquiry, finding they were not there, the Sailors, in a furious Manner, ran up *Market-Street,* knocking down all before them; and in a few Minutes the Inhabitants turned upon them, and drove them to their Ships.

ISRAEL PEMBERTON, one of the Representatives for the City of *Philadelphia,* in the present Assembly, being

examined, declared, and said, That on the First of the *Eighth Month*, 1742, being the Day appointed by our Charter and Laws of the Province, for the Choice of the Representatives to serve in the Assembly, as I was standing at Capt. *Spafford's* Corner, in *Water-Street*, several of the Inhabitants of the City came there, and acquainted me that there was a large Number of Sailors got together at the lower Part of the City, armed with Clubs, with a Design, as was said, to disturb the Election: Upon this Intelligence, I, with divers that were there, went to *Thomas Lawrence*, one of the Aldermen of the City, and acquainted him of it, and requested him as a Magistrate, that he would think of some Method to have them dispersed; he declared his good Inclination to do all in his Power to suppress them; and said he would send for the Commanders of the Vessels the Sailors belonged to, and order them to keep their Sailors on board their Ships that Day, to prevent any Disorder being committed by them: But said, it would be proper first to acquaint the Mayor and Recorder of the City of it: One in the Company answered, That they had been at the Mayor's, and found his Door shut, by which they supposed he was not up, it being then between Seven and Eight a Clock in the Morning; whereupon the said Alderman *Lawrence* said, he would go with us to *William Allen*, the Recorder, and consult him what might be proper to be done in the Affair; and accordingly we went with him to the Recorder, and desired that he would take some Measures to suppress the Sailors before they came to the Election: The Recorder answered, that the Sailors had as good a Right to be at the Election as the *Palatines* or *Dutch* that were not naturalized: He was answered, that if they had, they ought not to appear there armed in such a Manner; and that if there were any *Palatines* or *Dutch* there, which were not naturalized, they ought to be spoke it, that they might withdraw, for we had no Desire that any such should appear there; the Recorder then said, there was but about Four Hundred *Palatines* in this County that were naturalized, of whose Names he had a List; it was then proposed to him that he should furnish us with a Copy of said List; and it was then proposed, that *William Parsons*, a Friend of theirs (and a Person well acquainted with the *Palatines)* might be spoke to, and requested to take a View of them, and if he found any at the Election that were not qualified to vote, that they should be desired to withdraw, which the Recorder approved of, but said, he had been informed, that there were Sticks provided by some Persons on

our Side, and he did not know but we might assault them, or to this Purpose; we told him that he had been misinformed, and that it would appear, when he came to the Election, to the contrary; for we had no Intention of molesting any Person. And he was told there had been a Meeting of a considerable Number of the Freeholders the Night before, and then it was desired of the Company, that they would not bring to the Election any Sticks or Canes (not even such as were used to carry Sticks or Canes at other Times) but that they would rather lay them aside during the Election, and behave themselves peaceably: And the said Recorder likewise was told, that if, upon Inspection, when we came to the Election, any Person on our Side should be found with a Stick or Cane, we would request them to lay them aside, which he likewise approved: He was then again requested to use his Endeavour to suppress those Sailors: He asked what he could do? Would any of us go with him to suppress them? I answered, that if he would go, I would go with him, and he need not doubt but many more would be assistant to him, and it would be easier done now, before they were got all collected together; but he refused to use any Endeavours to suppress them, and said, they had as good Right to be there as the *Dutch* or *Palatines* that were not naturalized: It was answered, tha we thought they had no Right to appear there armed with Clubs: He answered, they had as good a Right to carry Sticks in their Hands as any other Persons, and he should not do any Thing in the Affair until he saw they misbehaved themselves, and, he said, then he would use his Endeavours to prevent any Mischief being done by them. He was answered, that it might then be too late, for it was not unlikely but some Persons might lose their Lives, or at least have their Bones broken before they could be suppresst; but if proper Care was taken in Time, they might be diverted from coming to the Election; but he still refused to intermeddle in the Affair, and said, *'Tis your Fault that they appear in this Manner, for if you had agreed to the Proposal that was made to you last Night, this would not have happened* (or Words to this Purpose). I told him I knew of no Proposal that was made to us. He said, *It was proposed last Night to the Company that met at* Reese Meredith's, *that four Inspectors should be chose on their Side, and four on ours, which he said, you refused to agree to;* I told him, neither they nor we had any Right to dispose of the Freeholders Votes; and I likewise acquainted him, that at the last Court, the Grand Jury and Constables had desired

the Opinion of the Magistrates, whether the Inspectors might not be chose in each Township or District as had been done for about three Years past, to prevent any Disorders being committed at the Election; and that he then gave it as his Judgment, that as the Law he said was expired which directed the Choosing the Inspectors in that Manner, it must now be done pursuant to the former Law: He was likewise told, the Proposal he mentioned of choosing four Inspectors on their Side, and four on ours, was not agreeable to said Law. He having often been desired to use his Endeavours to divert the Sailors from coming to the Election, he declined it; yet said, *If you do not molest us* (or to that Purpose) *I will engage for the Sailors, or any on our Side, committing any Disorder there.*—It appearing from the Recorder's Answers, he was determined not to intermeddle in the Affair, Alderman *Lawrence* said, *As long as I have the Honour of being a Magistrate of this City, I will do my Duty as such;* and immediately sent for a Constable, ordering him to go to the Commanders of the Vessels the Sailors belonged to, and acquaint them he would speak with them; but before the Constable had gone far from his House, he met about Forty Sailors, and the Constable then returned to the said Alderman *Lawrence* again; and the Sailors coming up to said Alderman's Door, he asked them (as he informed me) where they were going in such a Company. They answered, they had a Holiday, and were going into the Country to be merry. He charged them not to come to the Election to give any Disturbance, or to this Purpose; and they said, they would not: And from thence they passed along, and went to some Vessels to get more Men, and soon increased their Number; and, in a short Time after, appeared in the Streets armed with Clubs. Between Nine and Ten a Clock the same Morning, as I was standing at my Door, I saw Capt. *Mitchell* coming along *Water-Street*, appearing to be under great Disturbance of Mind; and when he came near my House, I heard him say, he would disturb the Election. I then asked him, why he would disturb the Election, since he (being a Stranger) had no Right to a Vote there; and it would not be well in him to disturb those that had. He then said, he had as good a Right to be there as any other; or to this Purpose. I then told him, If he appeared there as a Spectator, to see how the Election was carried on, I did not suppose it would be any Offence; but to go armed with such a Cudgel, if he was disposed to give Disturbance there, he might do some Mischief with it; and advised him not to carry it with him.

He then said, *D—n you! Who are you?* and said, *I will strike you;* and raised his stick or Cudgel, in order (as I supposed) to do it. By this Time *Samuel Norris* and my Son were come to my Door, and we took hold of him and his Cudgel, and prevented the Blow. And *John Fisher* being not far off, and seeing him offer to strike me, ran to our Assistance; and we having taken his Cudgel from him, I told him we had no Intention of doing him any Hurt, nor ought he to offer any Abuse to others. His Hat fell off his Head in the Scuffle: I took it up, and gave it to him; and so we parted. But he had not gone far from us before he said, he would bring a Hundred Sailors to the Election to disturb it. We told him, if he used such Threatnings, he ought to be committed; and he then repeated it again. We then went towards him, in order to have taken him before a Magistrate; but meeting with Capt. *Spence*, he asked the Occasion of our following Capt. *Mitchell?* We told him what had happened; and while we were talking with *Spence*, *Mitchell*, took up a large Stone, and said he would dash out our Brains. Capt. *Spence* thereupon took hold of him, and obliged him to throw it down; and Capt. *Mitchell* being taken hold of by *John Fisher* and my Son, in order to take him before a Magistrate, *Joseph Turner*, an Alderman of this City, seeing us in Pursuit of said *Mitchell*, came hastily over the Street from his Door, and took hold of one of the Persons that were about to secure said *Mitchell;* and by Means thereof the said *Mitchell* made his Escape. And I seeing the said *Turner* much transported with Anger against the Person he had hold of, and expecting he would strike him, I took hold of him by his Arm, and desired he would not strike; he thereupon let the Person go that he had hold on, and took hold on me in a violent Manner, saying, *Is it you*, Mr. Pemberton? *I did not think you would put such an Affront on me.* I told him, my Intention of taking hold of him, was to prevent his striking the Person he had been struggling with, and no Intention of doing him any Hurt; and I did not think my so doing could be taken as an Affront. After he had struggled with me some Time, with an Intention of throwing me down, as I supposed, but finding he could not, he let me go, and said, *If you* want *Mobbing, come to the Court-house, and you shall have enough soon;* or Words to that Purpose. I told him I wanted nothing of that Kind, but that the Peace might be preserved, and I would do all in my Power, to prevent any Disorders being committed that Day: He left me, and went home, but soon returned with a Stick

in his Hand. I went up to him, in hopes his Passion might be a little abated, but found him very angry, and threatening us with being mobbed as before. My Son being in Company, told him, Capt. *Mitchell* ought to have been committed. He answered, That no Man should be committed that Day;—adding, after some Pause. *Except he break the Peace first.* He was answered by my Son, That if he or any other Person broke the Peace, they should be committed. He then said, *D—n you, I will strike you;* and in order thereto took hold of one small End of his Stick to strike with the But-end of it, and attempted to do it more than once; but I prevented his striking, by taking hold of his Stick. After this we went together to the Election, where were great Numbers of the Inhabitants of the County ready to make Choice of the Inspectors; and at some Distance from them, near the Church, there appeared a considerable Number of Sailors, I suppose about Seventy. As soon as the Town Clock struck Ten. *William Allen* was put up by the Sheriff for an Inspector; and those that were inclined to vote for him were directed to go to the Southward, but very few moved that Way; upon which, some of his Friends said, That many that would be willing to vote for him, were so inclosed in the Crowd of People, they could not get out: Whereupon they were called upon to open a Lane, to let such out from amongst them, as were willing to vote for said *Allen;* which was accordingly done, and the People were called to by a speaking-Trumpet several Times, that all such as were inclined to vote for said *Allen*, should move Southward; but they declining to vote for him, *Isaac Norris* was then put up for an Inspector, and the People generally voted for him; and the Sheriff declared him elected: But, to the best of my Remembrance, before any other Inspector was chose, the Sailors appeared at the lower End of the *Jersey* Market, armed with Clubs, in a riotous Manner, flourish them about, and striking them on the Stalls; and I apprehending some Mischief would be done by them, went up to them, in Hopes they might be perswaded from doing any Mischief; but at my coming thither, I saw they had knocked down several Persons; and one Person being so knocked down, I saw three or four striking at him after he was down, so that I expected he would have been murdered before any Assistance could be got to him: The Person so abused I afterwards understood was *Anthony Morris*, the elder, one of the Aldermen of this City: And presently after there was another Person struck down just by me. I endeavoured to dissuade them from acting in such a rude

Manner, since they might perceive the People did not offer any Abuse to them: But they struck at me divers Times, and at last two of them, with great Sticks, struck at me with great Violence; and finding the Blows were designed at my Head, I held up my Arm, and received one of the Blows on my Arm, and the other on the Side of my Hand, the latter of which broke a Bone in my Hand. Soon after this, the few Constables that appeared there to keep them off the People, their Staffs breaking, they were obliged to give Way; and the Sailors following, knocked down all they could reach, until they came near *Second-Street*, and then they returned down *Market-Street*, towards *Front-Street* from the Election. During the Time of the Assault, I saw Alderman *Lawrence*, *Charles Willing*, and divers of the Freeholders, very active in endeavouring to dissuade the Sailors from using such Violence; but they disregarding every Thing that was said to them, the Sailors having withdrawn, I returned to the main Body of the Freeholders who had kept together, being unwilling to be diverted from the Choice of Inspectors, except the Magistrates had called on them for Assistance, which if the Magistrates had done, some of them said they were ready and willing to have given their Assistance, and would, without any Arms or Sticks, have inclosed the Rioters, and carried them to Goal; but from the unconcernedness of the Recorder, and most of the Magistrates, they apprehended they approved of the Sailors Conduct.—The Sailors being gone off, the Freeholders proceeded to finish the Choice of the Inspectors; and that being done, I went home to get my Head dressed, it being then much swollen. Not long after, I saw many of the Sailors running towards the Water-side, and the Inhabitants of the Town and County in Pursuit of them; and by them I understood the Sailors had made another Attempt, in order to deprive them of carrying in their Votes, and had beat and abused great Numbers of the Freeholders, who, being now out of Patience of bearing the Sailors Insults any longer, and the Magistrates then present not calling for Assistance, or using any Endeavours to suppress them, they resolved to defend themselves; and some having provided themselves with Sticks, fell on the Sailors so briskly, that they fled to their Vessels for Refuge, but were soon brought from thence, and, by Order of Aldermen *Thomas Lawrence*, conducted to Prison, where there were soon upwards of Fifty of them secured. And then the Freeholders proceeded to the Choice of the Representatives to serve in Assembly, and other Officers; which was carried on very peaceably the Remainder of the Day.

King CHARLES the Second's Grant of the Town of *New-Castle*, and the Three Lower Counties, to the DUKE of YORK.

CHARLES, by the Grace of GOD, King of *England*, *Scotland*, *France*, and *Ireland*, Defender of the Faith, *&c.* To all to whom these Presents shall come, *Greeting.*

KNOW ye, that We, for divers good Causes and Considerations Us thereunto moving, have, of Our especial Grace, certain Knowledge, and meer Motion, given and granted, and by these Presents, For Us, Our Heirs and Successors, do give and grant unto Our dearest Brother JAMES, Duke of *York*, his Heirs and Assigns, all that the Town of *New-Castle*, otherwise called *Delaware, and* Fort therein or thereunto belonging, situate, lying and being between *Maryland* and *New-Jersey*, in *America;* and all that Tract of Land lying within the Compass or Circle of twelve Miles about the said Town, situate, lying and being upon the River *Delaware*, and all the Islands in the said River of *Delaware*, and the said River and Soil thereof lying North of the southermost Part of the said Circle of twelve Miles about the said Town; and all that Tract of Land upon *Delaware* River and Bay, beginning twelve Miles South from the said Town of *New-Castle*, otherwise called *Delaware*, and extending South to *Cape-Lopen;* together with all the Lands, Islands, Soils, Rivers, Harbours, Mines, Minerals, Quarries, Woods, Marshes, Waters, Lakes, Fishings, Hawkings, Huntings and Fowlings, and all other Royalties, Privileges, Profits, Commodities and Hereditaments, to the said Town, Fort, Tracts of Land, Islands and Premises, or to any or either of them belonging or appertaining, with their and every of their Appurtenances, situate, lying and being in *America;* and all Our Estate, Right, Title and Interest, Benefit, Advantage, Claim and Demand whatsoever, of, in, or to the said Town, Fort, Lands, or Premises, or any Part or Parcel thereof, and the Reversion and Reversions, Remainder and Remainders thereof, together with the yearly and other Rents, Revenues and Profits of the Premises, and of every Part and Parcel thereof; *To have and to hold* the said Town of *New-Castle*, otherwise called *Delaware*, and Fort, and all and singular the said Lands and Premises, with their and every of their Appurtenances hereby given and granted, or herein before mentioned to be given and granted unto Our said dearest Brother JAMES, Duke of *York*, *his* heirs, and Assigns, for ever; To be holden of Us, Our Heirs, and Successors, as of Our Manor of *East-Greenwich*, in Our County of *Kent*, in free and common Soccage, and not in Capite, or by Knight's Service; *yielding* and

rendering, and the said JAMES, Duke of *York*, for himself, his Heirs and Assigns, doth covenant and promise, to *yield* and *render* unto Us, Our Heirs and Successors, of and for the same yearly, and every year, Four Beaver Skins, when the same shall be demanded, or within ninety Days after such Demand made. And We do further of Our special Grace, certain Knowledge, and meer Motion, for Us, our Heirs and Successors, give and grant unto our dearest Brother JAMES, Duke of *York*, his Heirs, Deputies, Agents, Commissioners and Assigns, by these Presents, full and absolute Power and Authority to correct, punish, pardon, govern, and rule, all such the Subjects of Us, Our Heirs and Successors, or any other Person or Persons as shall from Time to Time adventure themselves into any the Ports and Places aforesaid, or that shall or do at any Time hereafter inhabit the same, according to such Laws, Orders, Ordinances, Directions, and Instructions, as by Our said dearest Brother, or his Assigns, shall be established; and in Defect thereof, in Cases of Necessity, according to the good Discretion of his Deputies, Commissioners, Officers, or Assigns respectively, as well in all Cases and Matters Capital and Criminal as Civil, both maime and others, so always as the said Statutes, Ordinances and Proceedings be not contrary, but (as near as may be) agreeable to the Laws Statues and Government of this Our Realm of *England:* And *saving* and *reserving* to Us, Our Heirs and Successors, the Receiving, Hearing and Determining of the Appeal and Appeals of all, or any Person or Persons of, in, or belonging to the Town, Fort, Lands and Premises aforesaid, or touching any judgment or Sentence to be there made or given. And further, that it shall and may be lawful to and for our dearest Brother, his Heirs and Assigns, by these Presents, from Time to Time, to nominate, make, constitute, ordain and confirm such Laws as aforesaid, by such Name or Names, Stile or Stiles, as to him or them shall seem good; and likewise to revoke, discharge, change and alter as well all and singular Governors, Officers, and Ministers, which hereafter shall be by him or them thought fit and needful to be made or used within this aforesaid Town, Fort, Lands and Premises; and also to make, ordain and establish all Manner of Laws, Orders, Directions, Instructions, Forms, and Ceremonies of Government and Magistracy, fit and necessary for and concerning the Government of the said Town, Fort, Lands and Premises, so always as the same be not contrary to the Laws and Statutes of this our Realm of *England*, but (as near as may be) agreeable thereunto, and the same at all Times hereafter to put in Execution, or abro-

gate, revoke or change, not only within the Precincts of the said Town, Fort, Lands and Premises, but also upon the Seas, in going and coming to and from the same, as he or they, in their good Discretion, shall think fittest for the Good of the Adventurers and Inhabitants. And we do further, of Our special Grace, certain Knowledge, and meer Motion, grant, ordain, and declare, that such Governors, Deputies, Officers and Ministers, as from Time to Time shall be authorized and appointed in Manner and Form aforesaid, shall and may have full Power and Authority within the said Town, Fort, Lands and Premises, to use and exercise martial Law in case of Rebellion, Insurrection and Mutiny, in as large and ample Manner as Our Lieutenants in Our Counties within Our Realm of *England* have, or ought to have, by Force of their Commissions of Lieutenancy, or any Law or Statute of this Our Realm. And We do farther, by these Presents, for Us, Our Heirs and Successors, grant unto Our said dearest Brother JAMES, Duke of *York*, his Heirs or Assigns, in his or their Discretions, from Time to Time, to admit such and so many Person and Persons to trade and traffick unto and within the said Town, Fort, Lands and Premises, and into every and any Part and Parcel thereof, and to have, possess and enjoy, any Lands and Hereditaments in the Parts and Places aforesaid, as they shall think fit, according to the Laws, Orders Constitutions and Ordinances, by Our said Brother, his Heirs, Deputies Commissioners and Assigns, from Time to Time to be made and established by Virtue of, and according to, the true Intend and Meaning of these Presents, and under such Conditions, Reservations and Agreements, as Our said dearest Brother, his Heirs and Assigns, shall set down, order, direct and appoint, and not otherwise, as aforesaid.

And we do farther, of Our especial Grace, certain Knowledge, and meer Motion, for Us, Our Heirs, and Successors, give and grant unto Our said dearest Brother, his Heirs and Assigns, by these Presents, that it shall and may be lawful to and for him, them, or any of them, at all and every Time and Times hereafter, out of any Our Realms or Dominions whatsoever, to take, load, carry and transport, in and into their Voyages for and towards the Plantation of the said Town, Fort, Lands and Premises, all such and so many of our loving Subjects, or any other Strangers, being not prohibited, or under Restraint, that will become Our loving Subjects, and live under Our Allegiance, and shall willingly accompany them in the said Voyage, together with all such Cloathing, Implements,

Furniture, or other Things, usually transported, and not prohibited, as shall be necessary for the Inhabitants of the said Town, Fort, Lands and Premises, and for their Use and Defence thereof, and managing and carrying on the Trade with the People there, and in passing and returning to and fro; *yielding* and *paying* unto Us, Our Heirs and Successors, the Customs and Duties therefore due and payable, according to the Laws and Customs of this Our Realm. And We do also, for Us, Our Heirs and Successors, grant to Our said dearest Brother JAMES, Duke of *York*, his Heirs and Assigns, and to all and every such Governor and Governors, Deputy or Deputies, or their Officers or Ministers, as by Our said Brother, his Heirs or Assigns, shall be appointed, to have Power and Authority of Government, and Command in and over the Inhabitants of the said Town, Fort, Lands and Premises, that they and every of them shall, and lawfully may, from Time to Time, and at all Times for ever hereafter for their several Defences and Safety, encounter, repulse, and expel, and resist, by Force of Arms, as well by Sea as by Land, and by all Ways and Means whatsoever, all such Person and Persons, as, without the special License of Our said dearest Brother, his Heirs or Assigns, shall attempt to settle and inhabit within the several Precincts and Limits of the said Town, Fort, Lands and Premises; and also all and every such Person or Persons whatsoever, as shall enterprize and attempt at any Time hereafter, the Destruction, Invasion, Detriment or Annoyance to the Parts, Places, Town, Fort, Lands and Premises aforesaid, or any Part thereof.

And lastly, Our Will and pleasure is, and We do hereby declare and grant, that these Our Letters Patents, or the Enrolments thereof, shall be good and effectual in Law, to all Intents and Purposes whatsoever, notwithstanding the not well or true reciting or mentioning of the Premises, or any Part thereof, or the Limits Bounds thereof, or of any former or other Letters Patents or Grants whatsoever, made or granted of the Premises, or of any Part thereof, by Us, or any of Our Progenitors, unto any Person or Persons whatsoever, Bodies polictick or corporate, or any other Law or other Restraint, in Certainty or Imperfection whatsoever to the contrary in any wise notwithstanding, altho' express Mention of the true yearly Value or Certainty of the Premises, or any of them, or of any other Gifts or Grants by Us, or by any of Our Progenitors heretofore made to the said JAMES, Duke of

York, in these Presents is not made, or any Statute, Act, Ordinance, Provision, Proclamation or Restriction heretofore had, made, enacted or provided, or any other Matter, Cause or Thing whatsoever, to the contrary thereof in anywise notwithstanding. In WITNESS whereof, We have caused these Our Letters to be made Patents: Witness OURSELF, at *Westminister*, the Twenty-second Day of *March*, in the Thirty-fifth Year of our Reign.

THE END OF THE THIRD VOLUME

VOTES

AND

PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES

OF THE

PROVINCE OF PENNSYLVANIA

Beginning the Fifteenth Day of *October*, 1744

VOLUME THE FOURTH

PHILADELPHIA
Printed and Sold by HENRY MILLER, in *Race-Street*
MDCCLXXIV

VOTES

OF THE

HOUSE OF REPRESENTATIVES

AT AN ASSEMBLY HELD IN PHILADELPHIA, THE FIFTEENTH DAY OF OCTOBER, ANNO DOMINI 1744

By the Returns of the Sheriffs of the respective Counties, it appears that the following Gentlemen are duly chosen to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania* for the Year ensuing, *viz.*

For *Philadelphia* County.	*Bucks* County.	*Chester* County.
Isaac Norris,	*John Hall,*	*George Ashbridge,*
Thomas Leech,	*Mark Watson,*	*Francis Yarnal,*
John Kinsey,	*Mahlon Kirkbride,*	*Joseph Pennock,*
Robert Jones,	*Abraham Chapman,*	*Samuel Levis,*
Edward Warner,	*Benjamin Field,*	*James Gibbons,*
James Morris,	*John Watson,*	*Joseph Harvey,*
Owen Evans,	*Garrat Vansant,*	*Thomas Cummings,*
Joseph Trotter.	*Joseph Shaw.*	*Thomas Chandler.*

For *Philadelphia City.*		*Lancaster* County.	
Israel Pemberton,	Burgesses	*James Mitchell,*	*Arthur Patterson*
Oswald Peele.		*John Wright,*	*Samuel Blunston.*

And a Quorum being met, proceeding according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker; and John Kinsey, Esq; was unanimously chosen Speaker of this Assembly, and accordingly placed in the Chair.

Ordered, That *Thomas Leech, Oswald Peele, John Hall, George Ashbridge* and *James Mitchel,* wait upon the Governor and acquaint him, that in Pursuance of the Charter of Privileges and Laws of this Province, a Quorum of the Representatives have met and chose their Speaker; and desire to know when the Governor will be pleased to receive the House that they may present their Speaker.

The Gentlemen return and report, That they waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say, he would receive the House To-morrow at Twelve o'Clock.

Then the House adjourned to Twelve o'Clock To-morrow Morning.

The Speaker with the whole House waited upon the Governor.

And being returned, the Speaker resumed the Chair, and reported, That the House had waited upon the Governor and presented their Speaker, and that the Governor was pleased to approve their Choice. That the Speaker had thereupon made the usual Claim of Privileges, *viz.*

That the House during the Time of their Sitting in Assembly may enjoy Freedom of Speech in all their Propositions and Debates.

That the better to discharge the Business of the Public, they may at all seasonable Times have free Access to the Governor.

That their Persons and Estates may be protected from all Arrests and Molestations during the Time of Privilege accustomed.

That the Governor would be pleased not to hearken to any Report that may be made to him, touching any Matter debated in the House, until such Time as it shall have passed into a Resolve; nor give any Credit to such Report.

That if the Speaker in reporting any Thing to the Governor as the Sense of the House, chance to be mistaken, such Mistake may not be imputed to the House; but that he may have Liberty to resort to them for their true Intent and Meaning, and that the Mistake may be excused.

All which the Speaker had requested as the just Rights and Privileges of the People of *Pennsylvania*, derived and confirmed to them by the Charter and Laws of this Province. To which the Governor was pleased to answer, That as long as he had any thing to do with the Administration of the Government, those Privileges should be inviolably preserved to the Assemblies of this Province.

Then the Qualification by Law directed was taken and subscribed, first by the Speaker in the Chair, and afterwards at the Table by the rest of the Members present in their Order.

Resolved, That *Benjamin Franklin* be Clerk of this House for the ensuing Year.

And he accordingly took and subscribed the usual Qualification of a Clerk.

Resolved, That *Samuel Kirk* be Serjeant at Arms to this House for the ensuing Year.

Resolved, That *Thomas Burden* be Doorkeeper to this House for the ensuing Year.

Then the House adjourned to Three o'clock, P. M.

The Governor by his Secretary sent down a written Message to the House, which follows: in these Words, *viz.*

Gentlemen,

'As it is the Duty of my Station to be at all Times watchful over the Interests of the Province under my Government, and as nothing more essentially concerns them than the Security of its Trade and Navigation, I think myself indispensably obliged to lay hold of the first Opportunity of delivering to you my sentiments upon a very late Incident: which as it cannot but have come to your Knowledge, must have in some Degree engaged likewise your Thoughts before your meeting together; that is, the taking four Vessels upon our Coast by a *French* Privateer Ship of considerable Force, and the Captain's giving the Men Leave to go on Shore, with this contemptuous Circumstance, that he was too well acquainted with *Philadelphia* to apprehend their sending out any thing to attack him, and that he therefore designed to cruize a Fort'night longer in the same Place. If he did not stay out that Time, it may be concluded he did his Business sooner, and from the success he met with, that this Ship and the two Privateer Brigantines equipped at Louisbourg at the same Time, will soon return to an Harvest plentiful, and to be reaped without Danger.

'Is it not a Reproach to the Name of Englishmen, to suffer themselves to be thus insulted, when they have the Means in their Hands to maintain their ancient Character? For under proper Regulations a Ship might have been equipped in a few Days, capable of driving this Privateer from the Coast, or of bringing her in. And will not your Trade be entirely ruin'd, when the Enemy are convinced by Experience, that they may not only cruize upon your Coast, but block up your Port with impunity? The *French* in *America* seem'd at first unprepar'd for the War, but now they begin to act, and it is highly probable their Privateers will swarm upon our Coast next Summer, if we do not put ourselves into a Condition to act against them, to convoy our Vessles off, and to protect them

when they come upon our Coast. The Governments of New-England, Rhode-Island and Connecticut, enter'd early into this Method of securing their Trade, and Virginia has been lately obliged, from the Disability of the King's Ship upon that Station to do the same.

'It is not difficult to foresee the ill Consequences that will ensue upon a Want of Attention, or an ill-timed Parsimony, in a matter of this Importance. If the *British* Merchants, as well as our own, are not as well protected by this as by other Governments, the Trade of this City will be soon at an End; for no Man will carry it on at a certain Loss. From hence will follow the Loss of your Shipbuilding; and the Shipwright, Smith, Joiner, and all the other Artificers concerned in equipping that noble Machine, must seek for Employment elsewhere; and when this Trade is once lost, the Example of a neighboring City shews that it is not easily to be recovered. This whole City indeed, in some way or other, depends upon the Merchant, and if he cannot trade to advantage, it will be soon very sensibly felt by the Whole. Even the Farmer, who is too apt to consider the Landed and the Trading Interest in Opposition to each other, must confine his Produce to the Consumption of his own Family, if the Merchant is disabled from exporting it to foreign Markets.

'In Opposition to the fitting out a Vessel for the Protection of your Trade, I know it has been said, that it is a needless Expence to the Province, since the King's Ships, stationed at *New-York* and *Virginia*, are sufficient to clear the Coast of the Enemies Privateers. But we are now convinced, from Experience, that the King's Ships have been ordered upon other Services, and that what with the Desertion of their Seamen, and their being out of Repair at their Return to their Stations, the whole Summer has been spent before they could put to Sea again.

October 16, 1744. George Thomas."

The message being read, was referred to further Consideration.

Resolved, That *Richard Patridge*, Esq; be the Agent of this Province at the Court of *Great-Britain* for the ensuing Year.

Ordered, That *Isaac Norris*, *Thomas Leech* and *Israel Pemberton* be (with the Speaker) a Committee of Correspondence.

Ordered, That *Isaac Norris*, *James Morris*, *Edward Warner*, *Abraham Chapman*, *Joseph Harvey* and *Samuel Blunston* be a Committee to audit and settle the Accounts of the General Loan-Office, and other public Accounts for the current Year; and to sink and destroy the old Bills of Credit received in Exchange, pursuant to the last Paper-Money Act; and they have Power to send for Persons, Papers and Records.

Ordered, That *Isaac Norris*, *James Morris*, *John Hall*, *Samuel Levis* and *James Mitchel* be a Committee of Aggrievances for the ensuing Year; and they have Power to send for Persons, Papers and Records.

Ordered, That *Isaac Norris*, *Thomas Leech* and *Israel Pemberton* be a Committee to revise the Minutes before they are printed.

A Petition from Jacob *Mellor*, late Tenant of the Province Island, was presented to the House and read, praying, that in Consideration of his necessitous Circumstances, &c. the Action commenc'd against him by the Trustees of the Island, for Rent, &c. due from him, may be ordered to be withdrawn. *Ordered to lie on the Table.*

A Petition from *James Alcorn*, Constable of *Paxton* Township, with an Account annex'd of Charges paid by him in bringing the *Indian Mishemelin* to Prison, was presented to the House and read, praying Payment of the said Account, and an additional Allowance for his Trouble. *Ordered to lie on the Table.*

A Petition from *John Ryan*, a languishing Prisoner in the Goal of *Philadelphia*, was presented to the House and read, praying, for the Reasons therein mentioned, that the House would procure his Enlargement. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor's Message was again read and considered, and referred to farther Consideration.

The Governor by his Secretary sent down to the House a Copy of the Minutes of Council at the late Treaty with the *Delaware Indians*, together with a Letter from *Conrad Weiser* relating to the *Indian* Affairs, which were read, and the Treaty ordered to be printed with the Minutes of this House.

A Bill for the speedy Trial of Capital Offences committed by any *Indian* or *Indians* in the remote Parts of the Province,

was brought in and read the first time, and ordered a second Reading.

Then the House adjourned to Three o'Clock, P. M.

The Bill for the speedy Trial of Capital Offences committed by any *Indian* or *Indians* in the remote Parts of the Province, was read a second time, and ordered to be transcribed for a third Reading.

The Governor by his Secretary sent down a written Message to the House, which was read, and follows in these Words, *viz.*

Gentlemen,

'By the last Vessel from *Bristol*, I received a Letter from the Proprietaries, enclosing a Copy of a Bill brought into the House of Commons last Session, by Sir John *Barnard*, Colonel *Bladen*, and Mr. *Fane*, in Consequence of a Petition signed by Twenty-four Merchants, to prevent the issuing Bills of Credit in the Colonies as a Tender for the Payment of Debts. The Bill was ordered to be printed, that it may be considered next Session. The Gentlemen who brought it in, being of great Figure and Weight in the House, it is concluded that it will be well supported.

'As the Interest of this Province may be greatly affected by this Bill, I think it highly adviseable, that you immediately prepare a Set of Instruction, and transmit them by the first Opportunity, for obviating any Objections that may be raised against the Paper Currency here. Mr. *Patridge*, as Agent for Rhode-Island, has already engaged Mr. *Paris* in Behalf of that Colony.

October 17, 1744. George Thomas."

Then the House adjourned to Ten o'Clock, To-morrow Morning.

The Bill for the more speedy Trial of Capital Offences committed by any *Indian* or *Indians* in the remote Parts of the Province, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Arthur Patterson* and *James Mitchel* wait upon the Governor with the Bill, and desire his Concurrence.

The Gentlemen return and report, that they delivered the Bill to the Governor according to Order, and that he was pleased to say he would give it all the Dispatch he could.

The House resumed the Consideration of the Governor's Messages, and the Papers therewith laid before the House.

And the Copy of the Bill lately brought in Parliament relating to the Paper Currency in the Plantations (one Clause of which is intended to give the Force of Laws to all such Instructions as the Crown shall from Time to Time send to the Plantation Governments) being again read, it is recommended to the Committee of Correspondence to draw up proper Instructions to the Agent thereupon.

Ordered, That the Sum of *One Hundred Pounds* Sterling be transmitted to the Agent with the said Instructions.

Then the House adjourned to Three o'Clock, P. M.

The Governor by his Secretary sent down the Bill for the speedy Trial of Capital Offences committed by any *Indian* or *Indians* in the remote Parts of the Province, with a verbal Message, expressing his Concurrence thereto, and Readiness to pass it into a law.

The House resuming the Consideration of the several Messages received from the Governor,

Resolved, That *Samuel Levis* and *Abraham Chapman* do wait upon the Governor, and return him the hearty Thanks of the House for the Care he has shewn for the Province, particularly respecting *Indian* Affairs; and acquaint him, that the House have given Directions to their Committee of Correspondence to prepare Instructions, for their Agent, the better to enable him to oppose the Bill lately brought into Parliament, of which the Governor was pleased to send them a Copy: A Bill which, if passed into a Law, appears to the House destructive of all their Liberties, and likely to be attended with the most dangerous Consequences to all the King's Subjects in *America*. That they have ordered a Sum of Money to be remitted to their Agent, for defraying the Expences which shall arise on the Opposition directed to be given to this Bill. That, as the Governor is in a few Days Time to be at *Newcastle*, and it will be inconvenient to divers of the Members to stay long at this Season of the Year; and as the House are of Opinion no great Inconvenience can arise by their not giving a more particular Answer to the Governor's first Message, they hope he will not take it amiss that they chuse to defer the same until the next Sitting of Assembly.

And the Gentlemen are farther to desire to know when the Governor will be pleased to receive the House, in order to the enacting into a Law the Bill that has passed the House with his Concurrence.

They return and report, that they delivered the Message of the House according to Order; and that the Governor was

pleased to say, he would be ready to pass the Bill To-morrow at Twelve o'Clock.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Resolved, That the House will this Day adjourn to the 7th of the next 11th Month.

Ordered. That *Oswald Peele* and *John Hall* wait upon the Governor and acquaint him, that the House intends to adjourn to the 7th of the Eleventh Month next, if the Governor hath no Objection to that Time.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment.

Then the Speaker left the Chair, and with the whole House waited upon the Governor; and being returned, the Speaker resumed the Chair, and reported, that he had, with the whole House, waited upon the Governor, with the Bill for the speedy Trial of Capital Offences committed by any *Indian* or *Indians* in the remote Parts of the Province: to which the Governor was pleased to give his Assent by enacting the same into a Law; and that Thomas Leech and James Morris were appointed by the Speaker to see the Great Seal affixed to the same, and the Act deposited in the Rolls Office.

Then the House adjourned to the 7th of the next 11th Month.

The House met, according to their Adjournment.

Ordered, That *James Morris* and *Joseph Trotter* wait upon the Governor, and acquaint him, that the House are met in Pursuance of their Adjournment, and that, if he hath any thing to lay before them, they are ready to receive it.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and that the Governor was pleased to say, he had nothing at present to lay before the House, but was ready to receive any thing they may have to lay before him.

The Gentlemen appointed last Sitting to see the Great Seal affixed to the Law then made, report, that they saw the same done, and delivered the Law into the Rolls Office to be recorded.

The Governor's Message of the 16th of *October*, was read and considered, and the further Consideration thereof adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The House resuming the Consideration of the Governor's Message,

Ordered, That *Israel Pemberton*, *Edward Warner*, *John Watson*, *Thomas Cummings* and *John Wright* be a Committee to prepare a Draught of an Answer to the same.

Ordered, upon Motion, That *Israel Pemberton*, *Owen Evans*, *John Wright*, *John Watson*, and *Joseph Harvey* be a Committee to revise the Flour Act, and report what Amendments they find proper to be made thereto.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from John Ryan was presented to the House and read, praying, for the Reasons therein mentioned, that the House would relieve him from his long and languishing Confinement. *Ordered to lie on the Table.*

Isaac Norris, one of the Representatives chosen for the County of *Philadelphia*, appeared in the House, and took and subscribed the Qualifications appointed by Law to be taken by the Members of this House.

Then the House adjourned to Three o'Clock, P. M.

Robert Jones, one of the Representatives for the County of Philadelphia, appeared in the House, and being qualified according to Law, took his Place in the House.

A Petition from a Number of the Inhabitants of *Philadelphia*, setting forth, that by the Indulgence of the last Assembly they had an Opportunity of perusing the Bill, proposed by the Mayor and Commonalty of the said City, for regulating the Nightly Watch within the same; and do conceive a Regulation absolutely necessary for their common Security, the present Watch being of little Service, and the Charge of maintaining it very unequal; and therefore praying, that the House would prepare a Law to answer those good Purposes, and that the Charge of supporting the same may be levied by an equal Assessment on the Estates of the Inhabitants, and that the Freemen of the City may be impowered to chuse the Persons to whom the Disposition of the Money and the Care of the Watch is committed; was presented to the House and read, and ordered to lie on the Table.

Edmund Woolley's Account for Work done at the Statehouse, was laid before the House and read, and referred to the Committee of Public Accounts, with *Israel Pemberton* added to them, to consider and report thereon to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Speaker acquainted the House, that *Thomas Campbell*, at whose Suit *John Ryan* is confined, has, on being advised thereto, promised to discharge him out of Custody.

The Petition of a Number of the Inhabitants of the City of *Philadelphia*, relating to the Nightly Watch, was again read,

Ordered, That *Israel Pemberton*, *Oswald Peele*, *Isaac Norris*, *Thomas Leech*, *Edward Warner*, *James Morris* and *Joseph Trotter* be a Committee to prepare a Bill for regulating the Nightly Watch of the City of *Philadelphia*, and that they bring in the same at the next Session.

The Committee to whom Edmund Woolley's Account was referred, report, that they have examined, and do approve of the same.

Resolved, That *Five Hundred Pounds* be now given the Honourable George Thomas, Esq; in Part of his Support for the current Year; and that an Order be drawn on the Treasurer, and signed by the Speaker, for that Purpose. Which was done accordingly.

Resolved, That the House will this Day adjourn to the 22d Day of the next Second Month.

Ordered, That *Isaac Norris* and *Thomas Leech* wait upon the Governor, and present him with the Order of the House for his Support; and acquaint him, that the Business now before the House not being in Forwardness for present Dispatch, the House intends to adjourn to the 22d of the next Second Month, if the Governor hath no Objection to that Time.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Message of the House according to Order, and that the Governor was pleased to thank the House for the Sum they had presented him with, and made no Objection to the proposed Time of Adjournment.

Then the House adjourned to the 22d Day of the next Second Month.

The Representatives having been, by Virtue of the Governor's Writs to the Sheriffs of the several Counties for that Purpose directed, summoned to meet him this Day in Assembly, the House met accordingly.

Ordered, That *Thomas Leech* and *Israel Pemberton* wait upon the Governor and acquaint him, that the House is met and ready to receive any Thing he may have to lay before them; and desire a Copy of the Writs by which they were summoned.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say, he would send a Message to the House To-morrow Morning, together with the Writs by Virtue of which the House was called.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Secretary attending without, was called in, and delivered a written Message from the Governor, with Sundry Papers referred to therein, and also the Writs by which the House was called; and then withdrew.

The Message was read, and follows in these Words, *viz.*

Gentlemen,

'The Papers, which I have ordered to be laid before you, will inform you of my Reason for calling you together before the Time to which you stood adjourned. The Government of *New-England* requests our Aid for the Reduction of *Cape Breton*. The Enterprize shews a fine Public Spirit in that People! and, if it succeeds, will be greatly for the Honour of his Majesty, and the Interest of all his Colonies in *North America*. The Conquest of *Louisburg*, which is the only *French* Port of Consequence, in this Part of the World, either for Strength or the Accommodation of large Ships, will banish all Apprehensions for the future, of Maritime Attempts upon the Colonies, or their Trade upon this Coast; but the Advantages to us, and to our Mother Country are so many, and so evident, that it will be losing Time to enumerate them. Dispatch, you will see, is the Life of the Undertaking: Let me recommend that to you, Gentlemen, with regard to a Provision of Money: I promise you, that the Disposition of it shall be diligently and faithfully made; and in such a Manner, as you shall advise may be most for the Service it is intended to promote.

February 26, 1744-5 George Thomas."

Then the House adjourn'd to Three o'Clock, P. M.

The Governor's Message, with the Papers therein referred to, was again read, and considered; and after some Time spent

therein, the farther Consideration thereof was referred to To-morrow Morning.

A Petition from Elizabeth Chancellor, Daughter and Executrix of William Chancellor, deceased, was presented to the House and read, setting forth, that in Pursuance of an Act of Assembly of this Province for securing the City of *Philadelphia* from the Danger of Gunpowder, the Petitioner's said Father did, at a considerable Expence, build a suitable Powder-House for the Receipt of Gunpowder, at which due Care and Attendance has been hitherto given, to the general Satisfaction of the Merchants. But the Term granted by the said Act being near expired, and little of the Estate, besides the said Powder-House, being left for the Support and Education of the said *William Chancelor's* young Children, the Petitioner prays that the Act may be renew'd, and the Term further continued in their Favour. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-Morrow Morning.

The House resumed the Consideration of the Governor's Message.

Ordered, That *Isaac Norris*, *Israel Pemberton*, *John Watson*, *John Pennock* and *John Wright* be a Committee to prepare a Draught of an Answer to the Governor's Message, and report the same to the House.

A Petition from the Overseers of the Poor of the City of *Philadelphia*, was presented to the House and read, setting forth, that by serving in that Office the present Year, they have had an Opportunity of seeing, that the Laws now in Force for the Relief of the Poor, want Amendment in several Particulars; that it is become too great a Burden for any three Men to Collect the Tax of all *Philadelphia*, and at the same Time to take Care of the Poor, which have encreased with the City; that a Collector of the Tax appointed for each Ward, would render the Office easier, and Persons qualified for it would not be so unwilling to accept of it; that if the Overseers were to be chosen as the Commissioners of the County are, not all at once, and invested with Power to inspect the Circumstances of Strangers that come to reside in the City, it would be a Means to make them better acquainted with their Duty, lessen the Tax, and diminish the Number of our Poor; that the County Rate is not an equal or just Rule to go by, in taxing the Citizens; and that if the Overseers are chosen by them, they would have a more equitable Right to assess them, as well as be better acquainted with their Circum-

stances than the County Assessors generally are; that a Part of the Law exempting Mariners from giving Security, &c. wants Explanation; many poor Strangers, frequently gaining Settlements under Pretence of being Sailors, and become a Charge to the Inhabitants; that there is no Law to enable any to sue for or receive Estates or Monies given to the Poor, or to settle Ground-rents in their Behalf; all which is humbly submitted to the Consideration of the House, and Relief prayed therein.

Ordered to lie on the Table.

The Petition of *Elizabeth Chancellor* was again read and considered,

Ordered, That Leave be given the Petitioner to bring in a Bill, for the Purposes of the Petition, at the next Sitting of this House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare an Answer to the Governor's Message, reported the same to the House; and it was read and considered, and the further Consideration thereof adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The Answer to the Governor's Message was again read and considered, and ordered to be transcribed that it may be sent up to the Governor.

And the same being accordingly transcribed, follows in these Words, *viz.*

May it please the Governor,

The Message we last received, with the Papers to which the Governor was pleased to refer us for the Occasion of our being called together, we have taken into our Consideration, with that Attention and Regard the Importance thereof justly requires.

We are willing to suppose the Expedition intended by the Government of the *Massachusetts* against *Cape Breton*, is, as the Governor is pleased to express it, "the Result of a fine Public Spirit," and we would chuse to avoid any Remarks thereon which can justly give them Umbrage; and yet we cannot but think that if they expected the Assistance of the neighbouring Colonies, it is reasonable they should have consulted them, both as to the Enterprize and the Manner in which it was to be executed, whereas the present Scheme is wholly their own; and if the other Colonies do not accede to it, in the

Manner it is now projected, it is too late for Alterations, how advantageous soever they might prove. If the Design succeed, they will be entitled to but small Part of the Honour; if it miscarry, they may indeed be time enough to share a principal Part of the Disgrace.

Permit us to add, that as the Assistance they expect from *Great-Britain*, or the King's Ships, seems to us uncertain; the Aids desired of the neighbouring Colonies, if granted, such as probably must come too late; the Attempt in itself extremely hazardous, the Danger which may arise from a Diversity of Opinions between Officers equal in Authority, independant of each other, without any Commander in Chief to control or direct them, great and unavoidable: In a Word, as there are no Directions from the Crown concerning it; the Sentiments of the Ministry, and how such a Procedure will be relished by our Superiors, unknown; and as it may possibly interfere with or disconcert their Measures; had we not other Reasons to determine us, we should think it not prudent to unite in an Enterprize, where the Expence must be great, perhaps much Blood shed, and the Event very uncertain."

The Message being signed by the Speaker, by Order of the House,

Ordered, That *Oswald Peele* and *Mark Watson* carry up the same to the Governor and acquaint him, that the House is inclin'd to adjourn to the 22d of the next Second Month, the Time of their former Adjournment.

The Petition of the Overseers of the Poor of the City of *Philadelphia*, was again read and considered,

Ordered, That *Thomas Leech*, *Edward Warner*, *James Morris*, *Joseph Trotter* and *Oswald Peele* be a Committee to inspect the Laws relating to the Poor, and report such Amendments as they find necessary to be made thereto.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say he had no Objection to the Proposed Time of Adjournment.

And it being moved, that *Peter Lloyd*, one of the Signers of the Paper Money lately printed, is deceased, and that Service not compleated,

Resolved, That *Thomas Lloyd* be a Signer of the Paper Money, in the Room of Peter Lloyd, deceased.

It being moved by the Trustees of the Province Island, that there is a Necessity of repairing the old Banks, or making some new ones; and that they cannot, without the Order of the

House, make Use of the Money coming into their Hands, for that Purpose,

Ordered, That the said Trustees do make Use of the Money now in their Hands, for repairing the Banks or making new ones, as they shall judge most conducive to the public Benefit.

Then the House adjourned to the 22d of the next Second Month.

The House met pursuant to their Adjournment.

Ordered, That *James Morris* and *Oswald Peele* wait upon the Governor, and acquaint him, that the House is met pursuant to their Adjournment; and that, if the Governor hath any Thing to lay before them, they are ready to receive it.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say, nothing proper for the Consideration of the House had occurred to him since their last Meeting; that if, during their Sitting, any Thing of that kind should arise, he would communicate it to them; and that if they had any Business to lay before him, he would give it all the Dispatch in his Power.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House met, and adjourned to Three o'Clock, P. M.

Samuel Blunston, chosen a Representative for the County of *Lancaster*, made his Appearance in the House; and the Qualifications appointed by Law to be taken by the Members of the Assembly, being taken and subscribed by him at the Table, he took his Seat in the House accordingly.

The Committee appointed to revise the Flour Act, reported divers Amendments, which they are of Opinion are necessary; and the said Act was read with the Amendments, and ordered a second Reading.

A Petition of a Number of the Inhabitants and Owners of Lots in the North End of the City of *Philadelphia*, and in the *Northern Liberties*, setting forth, that they are deterr'd from further building and improving on the said Lots, by the near Situation of the Powder-House, from whence they apprehend Danger; that many good Tenements would soon be begun, with Wharfs and Stores, contributing much to the additional Beauty and Advantage of the said City and Neighbourhood, and the Employment of Artificers and Labourers, if that Obstacle was removed; which would also expedite the erecting a new Market

in the Place laid out for that Purpose, to the great Conveniency of the neighbouring Inhabitants now grown numerous, and of the Country People who should be willing to supply it with Provisions; and therefore praying the House would direct a Powder-House to be built in some other Place more suitable; was presented to the House and read, and ordered to lie on the Table.

Then the House adjourned to Ten o'Clock *To*-morrow Morning.

A Petition of sundry Inhabitants of the County of *Bucks* setting forth, that there is a Dam erected over *Neshamineh* Creek, at a Place formerly called *Langhorne's Mill*, which obstructs the Running of several Sorts of valuable Fish, and the Passing of Boats, Rafts, &c. to the Damage of the Inhabitants above the said Dam; and praying that an Act may be passed for removing all Dams, Wears or Nets that are or may be placed in the said Creek; was presented to the House and read, and ordered to lie on the Table.

A Petition from sundry Inhabitants of the County of Bucks, was presented to the House, and read, praying, that in the printed Votes of the House, the Names of the Members voting for and against any Matter moved in the House, may be annexed to the Question, and distinguished, that their Constituents may be acquainted with their Conduct.

Ordered to lie on the Table.

A Petition from *John Ryan* was presented to the House and read, setting forth, that he was bred in the mercantile Way, and understands no handicraft Trade; that though he now has his Liberty, he cannot support himself without Business, and that requires a Stock, which his Misfortunes have deprived him of, and which he therefore prays the House would supply him with out of the Public Treasury. *Ordered to lie on the Table.*

A Petition of a Number of Inhabitants of the back Parts of *Philadelphia* County and Eastern Part of *Lancaster* County, setting forth the Inconveniences they labour under by their too great Distance from Courts of Justice; and praying Leave to bring in a Bill for erecting those Parts into a new County. *Ordered to lie on the Table.*

Ordered, That the Flour Bill be read a second time in the Afternoon.

Then the House adjourned to Three o'Clock P. M.

The Flour Bill was again read, and after some Debate thereupon, it was committed to the Gentlemen that brought in the same, for Amendments.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Petition from a Number of the Inhabitants of *Bucks* County, relating to Obstructions on *Neshamineh* Creek was again read and considered,

Ordered, That Notice be given to the Owner of the Mill of this Petition; and that the Substance of it be inserted in the *Pennsylvania* Gazette, that any other Persons concerned in the Affair may have an Opportunity of being informed of the Contents thereof.

The Governor by his Secretary sent down to the House two written Messages, together with a verbal Message, that in Pursuance of the Information he had received in a Letter from *Conrad Weiser*, (which he laid before the House) he had, according to the *Indian* Customs, made a small Present to *Shick Calamy*, to wipe the Tears from his Eyes, occasioned by the Loss of his Son.

The Written Messages were read, and follow in these Words, *viz.*

Gentlemen,

'Several of the Inhabitants of the back Parts of *Philadelphia* and *Lancaster* Counties, having renewed their Petition to me, setting forth the Inconveniences they labour under, on Account of their great Distance from the County Courts, and praying that a new County may be erected, agreeable to the Lines marked in a Map of the Province formerly delivered; I repeat to you what I said in a former Assembly, that if it shall be thought likely to conduce to the Security, Ease, and good Order of that Part of the Government, I shall be willing to grant the Prayer of the Petition; and as a Provision will be best made by a Law for the Establishment of Courts of Judicature, I shall be also willing to join you in One for that, or any other necessary Purposes.

April 25, 1745. George Thomas."

Gentlemen,

'Since your last Meeting, I received a Letter from the Governor of Virginia, enclosing the Catawbaes Answer to a Message he had sent them, pursuant to the Treaty at Lancaster, and desiring my Assistance for settling a Peace between them

and the *Indians* of the *Six Nations*. I made no Difficulty of promising my best Offices, to prevent, if possible, a further Effusion of those unhappy People's Blood; and immediately engaged Conrad Weiser to undertake another Journey to Onotago, so soon as the Spring should be far enough advanced to afford Grass for his Horses. As the Treachery of the Catawbaes in a former Instance has rendered them justly suspected by the Six Nations, I despaired of persuading the latter to send Deputies to their Country, and therefore instructed Conrad Weiser to propose Williamsburg, or some other Town in Virginia, for the Place of holding the Treaty; but in case the Six Nations cannot be brought to agree to that, to consent to its being held at *Philadelphia*, upon Condition that they limit the Number of Deputies to Five on each Side. Notwithstanding Governor *Gooch* has promised to defray the Expence of this Negotiation, he Charge of an Express or two, or perhaps of a few Strowds, for a Present to the Indians, will probably fall upon this Province, and I doubt not but you will chearfully provide for it.

'I have just received Information, that Peter Chartier, after disposing of his Effects in this Government, is gone over to the Enemy. His Conduct, for some Years past, has rendered him generally suspected; and it seems my reprimanding him for some very exceptionable Parts of it, is made use of, amongst other Things, to excuse his Infidelity. Had he been punished as he deserved for the villainous Report he spread two Years ago amongst the back Inhabitants, in order to spirit them up against such of the Six Nations as should happen to travel through those Parts of the Country, he would not have been at this Time with the Enemy; but an Apprehension that the Shawnee (whose perfidious Blood partly runs in Chartier's Veins) might resent upon our Traders any Severities to him, restrained me from making use of such, and induced me to chuse the gentle Method of Reproof, which his brutish Disposition has construed into an Affront.

'I am likewise informed, that he has persuaded a considerable Number of the Shawnee to remove from their old Town, to a greater Distance upon another River, and it is not to be doubted but that a Person of his savage Temper will do us all the Mischief he can. If you think it worth while, I will send a special Messenger to persuade those Shawnese to return to their former place of Abode, or I will take any other Measures you shall advise; tho' it is my Opinion, the Advantages of the Trade excepted, the further

these People remove from our Borders, the better it will be for us. I have wrote Letters from Time to Time to the *Shawnese* Chiefs inviting them down to *Philadelphia*, and particularly a very kind one the last Fall, which *Peter Shaver* tells me he delivered; but that I have of late received no Answer, may be imputed to *Chartier's* Influence over them; and it is too probable, that he will make use of it to defeat any future Attempts we shall make to revive their Friendship with us.

April 25, 1745. George Thomas."

Several Papers and Petitions referred to in the Governor's Messages, and delivered with them were also read, and the further Consideration thereof adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The Governor's Message, relating to the *Indians*, was read and considered,

Ordered, That *Thomas Leech*, *Abraham Chapman*, *Israel Pemberton*, *Samuel Levis* and *James Mitchel* be a Committee to prepare a Drought of an Answer to the said Message, and report the same to the House.

A Petition from *William Dewees*, jun. was presented to the House and read, setting forth, that by Order of a Magistrate he pursued and apprehended one *Lemuel Washburn*, supposed to be a Counterfeiter of Bills of Credit; that his Expences therein amounted to £ 3. 15s. od. which the Commissioners of the County refused to pay, alledging it ought to be a Provincial Charge; and praying that this House would order him Payment out of the Public Treasury. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read, and ordered to be transcribed, that it may be sent up to the Governor.

The Gentlemen to whom the Flour Bill was committed, brought in a Bill, entituled, *A Supplementary Act to the Act for preventing the Exportation of Bread and Flour not merchantable*, which was read, and debated, and the farther Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The Message to the Governor being transcribed, was read, and follows in these Words, viz.

May it please the Governor,

The good Offices of the Governor hath been pleased to undertake, at the Desire of the Governor of *Virginia*, for settling a Peace between the Indians of the *Six Nations* and the *Catawbaes*, and for preventing, if possible, a farther Effusion of those unhappy People's Blood, is very agreeable to us; and will; we hope, be attended with the Success desired. And if, for the Accomplishing so good Purposes, it become necessary that the Deputies of those Nations should meet at *Philadelphia*, and consequently occasion a Charge to this Province; and although it be reasonable that the Government of *Virginia*, according to their Promise, do defray the Expences of that Negotiation; yet as we look upon it at all Times prudent, and more particularly so in the present critical Juncture of public Affairs, to cultivate a good Understanding with the Indians, and do not doubt of all the Frugality requisite; whatever Charges shall necessarily arise for the Expresses and Presents the Governor is pleased to mention, we shall chearfully provide to pay.

The Infidelity of *Peter Chartier*, in his going over to the Enemy, and his persuading a considerable Number of the *Shawnese* to remove from their old Town to a greater Distance on another River, gives us some Concern, as it looks like an Attempt to destroy the Friendship which hitherto subsisted between those *Indians* and this Government. It is very probable, from the same treacherous Principles, Chartier may be induced to do us all the Mischief in his Power amongst those *Indians*, and if a special Messenger was sent to them it may be attended with some Danger; and, considering *Chartier's* Influence, perhaps not be sufficient to enduce them to return to the Place of their former Abode, were such Return allowed to be of Advantage to this Province. We must, however, refer the conducting this Affair to the Governor's Prudence, upon such further Advices as he may hereafter receive; returning him our hearty Thanks for the Care he hath hitherto taken in these Affairs, and making no Question, but that, as Occasion shall require, every prudent Measure will be taken to defeat *Chartier's* perfidious Designs, and preserve, if possible, the Shawnese steady in their Friendship with this Government."

And the Message being signed by the Speaker, by Order of the House.

Ordered, That *George Ashbridge* and *Arthur Patterson* wait upon the Governor, and deliver the same; and that they acquaint the Governor, that his other Message is under the Consideration of the House; and that they propose to adjourn to the 19th of the next 6th Month, if he hath no Objection to that Time.

A Petition of sundry Inhabitants of the City of *Philadelphia*, praying, for the Reasons therein mentioned, that upon the Resignation of the present Excise Officer for the County of *Philadelphia*, a Person may be appointed to put that Act in Execution whose other Business will not interfere with his Duty to the Public; was presented to the House and read.

Ordered to lie on the Table.

The Petition of *William Dewees* was again read and considered,

Ordered, That an Order be drawn on the Treasurer for the Payment of Three Pounds Fifteen Shillings to the said Dewees, in full Discharge of his Account. Which was done accordingly.

Ordered, That 17 £. paid to *Francis Sherrard* by the Sheriff of *Lancaster*, on Account of the Loan Office, and lost by his Death, be allowed by the Trustees.

The Petition from sundry Inhabitants of *Bucks* County, relating to the Votes of the House, was again read, and referred to farther Consideration.

The Petition for a new County, was again read, and referred to farther Consideration.

The Gentlemen appointed to wait on the Governor, with the Message of the House, report, that they delivered the same according to Order, and that the Governor had made no Objection to the proposed Time of Adjournment.

Then the House adjourned to the 19th Day of the next 6th Month.

The Governor having by his Writs directed the Sheriffs to summon the Representatives of their respective Counties to meet him this Day in Assembly, they were summoned, and the House is met accordingly.

Ordered, That *Thomas Leech* and *Oswald Peele* wait upon the Governor and acquaint him, that the House is met pursuant to his Summons, and ready to receive any Matter he may have to lay before them.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Message of the House according

to Order; and that the Governor was pleased to say he should send a Message to the House To-morrow Morning, together with some Letters he had received from Governor Shirley and Commodore Warren, and desired the Members would be together pretty early.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor by his Secretary sent down a written Message to the House, together with two Letters he had received from Governor *Shirley* and Commodore *Warren*, which were read, and the Message follows in these Words, *viz.*

Gentlemen,

'The Secretary is ordered to lay before you two Letters I received on the 25th of the last Month from Governor *Shirley* and Commodore *Warren*, by an Express from *Boston*. The Importance of these Dispatches laid me under an indispensable Obligation to call you together again before the Time to which you stood adjourned; and now you are met, I cannot doubt but your Resolutions will be such as may be for the Advancement of his Majesty's Service, and the common Interests of the Northern Colonies. The Expedition against Louisburg, you will observe, is carried on with his Majesty's Approbation, is supported by seven of his Ships of War, and has been hitherto attended with such Success, as renders it highly probable that the King's Forces will become Masters of the Place, if they shall be reinforced in time by the rest of the Colonies.

'As the Measures to be taken by the Government of *New-England* will in some Degree depend upon your Resolutions, I hope you will enable me to transmit them by the next Post.

June 4, 1745. George Thomas."

Ordered, That the Message be again read and considered in the Afternoon.

The House being informed, that the Collector of the Excise for the County of Philadelphia attended, he was called in, and thanking the House for their Favour in appointing him to that Office, he acquainted the House, that it did not suit his Affairs to continue in it, and therefore requested that the House would be pleased to appoint another; and then withdrew.

A Petition from *Thomas Peters*, of the City of *Philadelphia*, was presented to the House and read, praying that he may

be appointed the Officer to execute the Excise Act for the said City and County. *Ordered to lie on the Table.*

A Petition from *Judah Foulke*, of the City of *Philadelphia*, was presented to the House and read, praying, that he may be appointed Collector of the Excise for the said City and County. *Ordered to lie on the Table.*

A Petition of Mordecai Lloyd, of the City of Philadelphia, was presented to the House and read, praying, that he may be appointed Collector of the Excise for the said City and County. *Ordered to lie on the Table.*

Then the House adjourned to Three o'Clock P. M.

The Governor's Message, and the Papers referred to therein, were again read and considered:

And after some Time spent therein, the farther Consideration thereof was adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House resumed the Consideration of the Governor's Message, and the Letters that accompanied it; and after some Time spent therein, the farther Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

A Petition from *Richard Sewell*, of the City of *Philadelphia* was presented to the House and read, praying, that the House would appoint him to be the Officer for collecting the Excise in the City and County of *Philadelphia*. *Ordered to lie on the Table.*

The House resumed the Consideration of the Governor's Message; and after some Debate it was moved, that the Question be put, That the House will at this Time give a Sum of Money to the King's Use;—And the previous Question being demanded and put, Whether that Question be now put? *It passed in the Negative.*

Ordered, That *Israel Pemberton*, *Robert Jones*, *John Watson*, *Joseph Harvey* and *John Wright* be a Committee to prepare a Draught of an Answer to the Governor's Message, and report the same to the House.

The Petitions of *Thomas Peters*, *Judah Foulke*, *Mordecai Lloyd*, and *Richard Sewell*, for the Excise Office, were again read; and the Question being put, that *Thomas Peters* be the Officer for collecting the Excise for the City and County of *Philadelphia*. *It passed in the Negative.*

Resolved, That *Judah Foulke* be the Excise Officer for the said City and County.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read by Order, and considered; and after some Debate, it was ordered to be transcribed to be sent up to the Governor.

Thomas Lloyd, one of the Signers of the Paper Money, attending without, was called in, and acquainted the House, that his Business calling him abroad, he could no longer attend that Service; and having thanked the House for their Favour in appointing him to it, he withdrew.

Resolved, That *Joseph Harvey* be appointed Signer of the Paper Money in the room of Thomas Lloyd.

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

We have maturely considered the Governor's Message of the 4th Instant, together with the Contents of the Letters which the Secretary was ordered to lay before us. And our Result is, that as the Enterprize against Cape Breton, is a private Undertaking of the Government of *New-England*, in which they did not think fit to consult the neighbouring Colonies, and wherein, if the Design succeeds, they themselves will receive the principal Benefit, and therefore they have no Right to involve us in the Expence.

That the Expedition is since carried on "with His Majesty's Approbation," we do not doubt, but how far it was intended this Government should be burdened with the Expence arising from it, will best appear when the Letter from the Duke of *Newcastle* to the Governor, mentioned by Commodore *Warren*, shall be received, until then, we hope, we shall be excused from coming to any further Resolutions in an Affair, which, for other Reasons than we have mentioned, the Governor must be sensible affords us much Difficulty."

And the same being signed by the Speaker, by Order of the House,

Ordered, That *Joseph Trotter* and *James Morris* wait upon the Governor with the Message, and acquaint him, that the House is inclined to adjourn to the Time of their former Adjournment.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Message of the House according to Order, and that the Governor was pleased to say he had no Objection to the Time proposed.

Then the House adjourned to the 19th of the next 6th Month.

The Representatives having been, by Virtue of the Governor's Writs to the Sheriffs of the several Counties for that Purpose directed, again summoned to meet him in Assembly, the House met this Day accordingly.

Ordered, That *Isaac Norris* and *Thomas Leech* wait upon the Governor and acquaint him, that in Pursuance of his Summons a Quorum of the House is met, and ready to receive any Thing he may have to lay before them; and desire a Copy of the Writs by Virtue of which the House was summoned.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and that the Governor was pleased to say, he should send a Message to the House this Morning, together with the writs.

The Governor by his Secretary sent down a Message in Writing to the House, together with Letters he had lately received from Governor *Shirley* and Commodore *Warren*, and a Copy of his Majesty's Instructions to the several Governors of the Colonies in *North America* to assist Commodore *Warren*, referred to in the said Message, which were read, and the Message and Instructions follow in these Words, *viz.*

Gentlemen,

'My Duty to his Majesty, my Regard for the Interests of the Colonies, and my Concern for the Reputation of *Pennsylvania*, have all conspired to my calling you together at this Time; and I do assure myself, that you will joyfully embrace the Opportunity of giving a public and substantial Proof of the like Zeal for the King's Service, and the common Good of your Fellow-Subjects. As it has pleased the Almighty to grant a Blessing on his Majesty's Arms, and, after an uncommon Course of Events, to crown the glorious Enterprise of the Government of *New-England* with Success, I conclude, that Arguments to induce you to do your Parts, for preserving a Conquest of such Importance, are altogether unnecessary; and that on this pressing Occasion, your Resolutions will be so

speedy, as well as effectual, that I may be enabled to give a satisfactory Answer, by the next Post, to the Letter which I had the Pleasure to receive by Express from Governor *Shirley*, and which I have now ordered to be laid before you, together with one, since come to hand, from Commodore Warren, enclosing a Copy of the Signification of his Majesty's Pleasure, by his Grace the Duke of *Newcastle*, to the several Governors of the *British* Colonies in *North America*.

July 23, 1745. George Thomas."

A Copy of his Majesty's Order signified by the Duke of Newcastle *to the respective Governors of the Colonies in* North America.

SIR, *Whitehall, January* 3, 1744-5.

His Majesty having thought it necessary, for the Security of the Colonies in *North America*, and particularly of the Province of Nova Scotia, (which has been already invaded by the *French*, and upon which there is great Reason to apprehend, that they will early in the Spring renew their Attempts by the Attack of *Annapolis Royal)* to employ such a Strength of Ships of War in those Seas, under the Command of Commodore *Warren*, as may be sufficient to protect the said Province, and the other neighboring Colonies in *North America*, and the Trade and Fishery of his Majesty's Subjects in those Parts, and may also, as Occasion may offer, attack and distress the Enemy in their Settlements, and annoy their Fishery and Commerce; I have his Majesty's Commands to signify to you his Pleasure, that if Mr. *Warren* shall apply to you for Assistance, either of Men, Provisions, or Shipping, to enable him to proceed either to the Relief and Succor of *Annapolis Royal*, or of any other of His Majesty's Forts and Settlements or for making any Attempts upon the Enemy, you should in all such Cases be aiding and assisting to him, in the most effectual Manner, and according, as, upon Consultation together, shall be judged proper for carrying on his Majesty's Service; and you will be ready to concert and advise with Mr. Warren upon all Occasions that may arise, which shall have Relation to the Services on which he is employed; and particularly you will procure and communicate to him, the best Intelligence you shall be able to obtain, of the State and Condition of the Enemy's Settlements, and of the Ships in their Harbours; that he may be enabled to judge, whether it may be practicable and adviseable to make an Attempt upon any of their Ports.

Hollis Newcastle."

Then the House adjourned to Three o'Clock, P. M.

The Governor's Message, with the Papers that accompanied it, was again read, and after some Debate, the farther Consideration thereof was adjourned to To-morrow Morning.

A Petition from *James Dinnen* and *Peter Tostee*, two *Indian* Traders, was presented to the House and read, setting forth, that as they were on the 18th Day of *April* last returning up the River *Allegheny*, with a considerable Quantity of Furs and skins, in Canoes, *Peter Chartier*, late an *Indian* Trader, with about 400 *Shawnese Indians*, armed with Guns, Pistols and Cutlasses, suddenly took them Prisoners, having, as he said a Captain's Commission from the King of *France;* and plundered them of all their Effects, to the Value of Sixteen Hundred Pounds, by which they are become entirely ruined, and utterly uncapable to pay their Debts, to carry on any further Trade; and praying that the House would be pleased to take their unhappy Circumstances into Consideration, and afford them such Relief as shall be judged meet. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock to-morrow Morning.

The Governor, by his Secretary, sent down to the House a Letter he had received from *Conrad Weiser*, relating to his Negotiations at *Onondago*, with the Council of the *Six Nations*. Also a verbal Message, that some Indians now in Town, had made a Present to the Government of Skins to the Value of about. 20*l*. And that it was the Opinion of the Governor and Council, that a Present of Goods should be made them of treble the Value.

Part of *Conrad Weiser's* Letter, relating to the Affair of Peter Chartier, follows in these Words, *viz.*

—'As to *Peter Chartier's* robbing the *English* Traders, I laid the whole Affair before the Council in the best Manner I could; and added, "That since our Brethren, the Six Nations had so lately assured us, that they would not suffer the Parties at War with one another, to commit Hostilities on their Ground; many of the *English* Traders being present in Lancaster last Year at that great Treaty, were thereby encouraged to go again to *Ohio*, fearing nothing; and as what that Traitor *Chartier* did was an open Breach of the Treaties of Friendship; I desired the Council to weigh the Matter well, and give an Answer, after they had well agreed among themselves; be it now, or some Time hence." To enforce this upon them, I gave them a large Belt of Wampum.

'Their Answer was to this Purpose, *Brother* Onas, *we are sorry to hear what did happen to your Traders at* Ohio, *by the treacherous* Peter Chartier; *we go now to* Canada, *and shall take this Belt of Wampum with us; we look upon it as an open Breach of the Peace on the* French *side, and the Blow that is given, we receive as if it were given us; depend upon it, that we will insist upon it, that the* French *shall make Restitution of Men and Goods; we are very glad that this News reached us before we set out for* Canada. *After our Return, you will have an Answer in full to this, and no doubt a satisfactory one.*"

The House resumed the Consideration of the Governor's Message, with the Paper that accompanied it, and after some Debate, the farther Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

Then the House resuming the Consideration of the King's Commands signified by the Duke of Newcastle's Letters to the Governors of the Northern Colonies; and also the other Dispatches, Letters and Papers, laid befor it by Order of the Governor,

Resolved, That the Sum of *Four Thousand Pounds*, be, and hereby is given to the King's Use; to be paid into the Hands of *John Pole* and *John Mifflin*, of the City of *Philadelphia*, Merchants: one Half Part thereof by the Trustees of the General Loan Office; the other Half of the Treasurer; to be laid out by them, the said *John Pole* and *John Mifflin*, in the purchase of Bread, Beef, Pork, Flour, Wheat or other Grain, or any of them, within this Province; and to be shipped from hence for the King's Service, as the Governor shall think most fit.

And the following Message to the Governor being agreed to by the House, *viz.*

May it please the Governor,

We think it our indispensable Duty on every Occasion to shew our Loyalty and hearty Affection towards our King and the present Government, under whom we not only enjoy our Civil and Religious Liberties in their full Extent, but often meet with peculiar Lenity and Indulgence.

With these Sentiments we have taken into Consideration the King's Commands signified by the Duke of *Newcastle's* circular Letters to the Governors of the Northern Colonies, and also the other Dispatches, Letters and Papers, which the Governor was pleased to direct should be laid before us; and although the peaceable Principles professed by divers Members of the present

Assembly, do not permit them to join in raising of Men or providing Arms and Ammunition, yet we have ever held it our Duty to render Tribute to Caesar, and have therefore, on the present Occasion, come to the Resolution herewith sent, which we hope will give "Public and substantial Proof of our Zeal for the King's Service and the common Good of our Fellow Subjects," as well as evidence our ready Obedience to his Royal Commands, so far as we can consistently with our Religious Principles.

Ordered, That *Mark Watson* and *James Mitchel* wait upon the Governor with the same, and acquaint him that the House is disposed to adjourn to the Time of their former Adjournment.

The House, on considering the Governor's Message of this Morning, relating to the *Indians*.

Resolved, That a Sum not exceeding *Fifty Pounds*, including the Value of the Skins, be allowed as a Present to the *Indians*, and paid by the Treasurer.

Two Orders for £2000 each, on the Treasurer and Trustees of the Loan Office, being drawn in Pursuance of the Resolve of the House, were signed by the Speaker.

The Petition of *James Dinnen* and *Peter Tostee* was again read, and referred to farther Consideration at the next Meeting of the House.

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same according to Order; and that the Governor was pleased to say, that since the House had particularized what they would have the Money laid out in, he looked upon their putting the Shipping of it under his Direction to be no Compliment to him.

The Speaker informed the House, that, by Order of the Governor and Council, a Present had been sent to those of the *Shawnese* Nation, who have continued in their Fidelity to the *English;* and the same was approved of by the House, and agreed that it should be allowed in the Treasurer's Account.

Then the House adjourned to the 19th Day of the next Month.

The House met pursuant to their Adjournment.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor and acquaint him, that the House is met in Pursuance of their Adjournment; and are ready to receive any Thing he may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed Yesternight to wait upon the Governor with the Message of the House, report, that they delivered the same according to Order; and that the Governor was pleased to say he had nothing at present to lay before the House; but that if any Thing proper for their Consideration occurred to him during their Sitting, he would communicate it to them.

A Petition from *Daniel Morris*, of *Philadelphia* County, was presented to the House and read, setting forth, that he is informed that a Change of the Officer for viewing and branding Flour for the said County is intended; and praying, that if such Change is made, he may be appointed the Officer for that Purpose. Ordered to lie on the Table.

A Petition from *Owen Jones*, of the City of *Philadelphia*, praying to be appointed the Officer for executing the Flour Act, was presented to the House and read, and ordered to lie on the Table.

A Petition of James Alcorn, late Constable of the Town of *Paxton*, in *Lancaster* County, praying Allowance and Payment of an Account formerly exhibited to this Assembly, for his Expence and Trouble in conveying the *Indian Mushamelon* above 50 Miles to *Lancaster Goal*, was presented to the House and read. *Ordered to lie on the Table.*

Then the House adjourned to Three o'Clock, P. M.

Ordered, That *Israel Pemberton*, *Edward Warner*, *John Hall*, *Samuel Levis* and *James Mitchel* be a Committee to settle the Accounts of the Incidental Charges for the current Year.

The Petition and Account of James Alcorn was again read, and the Account was referred to the Committee of Incidental Charges.

Then the House adjourned to Ten o'Clock To-morrow Morning.

An Account from *Conrad Weiser*, of Expences in *Indian* Affairs, was laid before the House, and referred to the Committee of Incidental Charges.

The Committee appointed to audit and settle the Accounts of the General Loan Office, and other public Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Inspection of the Members.

Then the House adjourned to Three o'Clock P. M.

The House met, and adjourned to Three o'Clock To-morrow Afternoon.

The House met pursuant to their Adjournment.

The Trustees of the Province Island, laid their Accounts before the Assembly, by which it appears that there is a Balance in their Hands of *Sixty-eight Pounds, Eight Shillings,* and *Nine-pence Half-penny.*

Then the House adjourned to Ten o'Clock To-morow Morning.

The House met, and considered the several Accounts and Allowances to be paid and made for the current Year, and then adjourned to Three o'Clock in the Afternoon.

A Motion being made, that the Country Members be allowed Mileage for the several Times they have attended the House this Year at the Call of the Governor; the Question was put, and passed in the Negative.

Resolved, That the Sum of *Five Hundred Pounds* be now given to the Honourable GEORGE THOMAS, Esq., Governor of this Province, in full of his Support for the current Year. And an Order being drawn on the Treasurer for Payment of the same, it was signed by the Speaker, by Order of the House.

Ordered, That *Edward Warner* and *Samuel Levis* wait upon the Governor with the same, and acquaint him that the House is disposed to adjourn this Day, if he hath no Objection thereto.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Message of the House according to Order, and that the Governor made no Objection to the Adjournment of the House, but was pleased to say, he had expected they would at this Time have made some Provision for the Payment of his Arrearages.

The Report of the Committee on the Public Accounts being approved of by the House, follows in these Words, *viz.*

WE *the* COMMITTEE *appointed by Order of Assembly to settle the Accounts of the* GENERAL LOAN OFFICE *of the Province of Pennsylvania* REPORT,

That, upon a careful Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Assembly for emitting Paper Bills, and now remaining in the Loan Office undischarged, we find there are principal Sums or Quotas thereon, to become due and payable to the Trustees, the Sum of £ 45343 3 4

That a List of 149 Mortgages have been taken, Part on the fifth, and Part on the sixth, Re-emission of the £80000 Act, amounting, as per List, to £10,302 10 0

That there are Quotas outstanding, and now due on all the said Mortgage Deeds, as by a List exhibited by the Trustees to the Committee, and by them examined, amounting to the Sum of				£	15554	15	5
That several Sums lent the Public, to be repaid into the Hands of the Trustees, are still outstanding, viz.							
The whole Sum appropriated by the second £30,000 Act, for building the State-House,	£	2000	0 0				
Part of the Sum lent the City of Philadelphia for building an Alms-House,		312	10 0				
Part of the Sum lent the Mayor and Commonalty of the City of Philadelphia by the first £30000 Act,		156	0 0				
Part of the Sum put into the Hands of the Provincial Treasurer,		200	0 0				
				£	2868	10	0
						£	73,868 18 9
Balance in the Hands of the Trustees, ...							6,131 1 3
Makes the Whole Sum Current in the Province, ...						£	80000 0 0

That the Trustees, upon Account of Interest, charge the Province with Interest outstanding on all the Mortgage Deeds now remaining in the Office, amounting as per List delivered by the Trustees, to	£	6286	0	11¼
And for sundry Orders for Assembly-Men's Wages		374	15	0
Paid the Governor, by Order of Assembly,		1000	0	0
Paid Lynford Lardner for the Proprietor, in Pursuance of an Act of Assembly		130	0	0
Paid for Wood and Sawing,		4	17	6
Paid Rees Meredith for One Hundred Pound Bill of Exchange sent to Richard Patridge,		172	10	0
Paid Thomas Leech toward finishing the State-House, ...		650	0	0
Paid Benjamin Franklin for Paper and Printing the last Bills of Credit, ...		185	8	4
Paid Abraham Chapman for Signing Bills of Credit, ...		36	0	0
Paid James Morris for Signing Ditto, ..		50	0	0
Paid Henry Lewis for a Servant, by Order, ...		10	13	9
Paid the Trustees Salary for the Current Year, ...		550	0	0
For an Allowance by Law for 131 Mortgage Deeds, as by Charles Brockden's List,		131	0	0

For an allowance due by Law for Exchanging and Sinking £3000, burnt this Year, ...		8 5 0	
Paid William Branson for Iron Backs,		6 8 1	
Paid John Pole and John Mifflin, by Order of Assembly,	£ 2000 0 0		
Paid Ditto in Part of an Order drawn upon the Treasurer, to be repaid out of the Treasury,	1500 0 0		
		£ 3500 0 0	
Paid the Honorable George Thomas, Esq; in Part of an Order of Assembly, to be repaid by the Treasurer, ...		500 0 0	
			£13,595 13 7¼
That the Trustees upon the Account of Interest, credit the Province with the Balance of last Year's Account settled with the Committee, Aug. 8, 1744, ...	£1439 16 11¾		
By Interest outstanding at the last Settlement,	6018 16 0¼		
By Interest arising on all the Mortgage Deeds this current Year, ...	2755 2 9		
By broken Interest received this Year, ...	981 3 0		
		£11,194 18 9	
Balance due to the Trustees, ...		2,400 14 10¼	
			£13,595 13 7¼

WE *the* COMMITTEE *appointed by Order of Assembly to audit and settle the Public Accounts*, REPORT,

That we have examined the Provincial Treasurer's Account, and find that he Credits the Province by the Balance of last Year's Account settled with the Committee, August 8, 1744, ...	£	853 12 5½
By Cash received of Rees Meredith, late Collector of Excise for the County and City of Philadelphia, ...		1695 10 0
By Ditto received of William Atkinson, Collector of Excise for the County of Bucks, ...		152 0 9
By Ditto received of Jeremiah Star, Collector of Excise for the County of Chester, ...		147 15 6
By Ditto received of Arthur Patterson, Collector of the Excise for the County of Lancaster, ...		74 3 6
By Ditto received of Judah Foulke, the present Collector of Excise for the County and City of Philadelphia, ...		26 0 0
By Ditto received of James Mitchell, late Collector of Excise for the County of Lancaster, ...		40 2 0

By Ditto received for Skins presented by the Indians, 6th Month, 1744, ...	£	6	4	8		
By Ditto received for Skins presented by the Indians 9th Month, 1744, ...		9	19	6		
By Ditto received for Skins presented by the Indians, 6th Month, 1745, ...		18	4	11		
					£34	9 1
						£3023 13 3½
That he Charges the Province with the following Articles, viz.						
Paid John Wright, by Order of Assembly					0	5 0
Paid Thomas Graeme, Esq; one of the Supreme Judges, by Order of Assembly, .					50	0 0
Paid Ditto his Account by Order, ...					6	5 0
Paid Samuel Kirk, his Salary as Sergeant, £ 8, and for extraordinary Services, &c. £ 2 15 1½					10	15 1½
Paid Charles Stowe, per Order, ...					2	10 0
Paid Conrad Weiser, per Order, ...					45	3 6
Paid Joseph Wharton, per Order, ...					10	0 0
Paid Benjamin Franklin, per Order, £62 1 2, and for Postage of public Packets, £11 10 0					73	11 2
Paid Samuel Blunston, per Order, ...					0	10 0
Paid Abraham Chapman, per Order, ...					5	10 0
Paid Isaac Norris, per Order, for a Hundred Pound Sterling Bill of Exchange remitted to the Agent for his Salary, .					170	0 0
Paid Ditto, per Order, ...					3	0 0
Paid Thomas Leech, per Order, ...					6	5 0
Paid James Morris, per Order, ...					6	5 0
Paid the Honourable George Thomas, Esq; in Part of an Order of Assembly for £1000, the other £500 being paid by John Kinsey, one of the Trustees of the Loan Office, ...	£500	0	0			
Paid Ditto, per Order of Assembly, ...	500	0	0			
					£1000	0 0
Paid Edward Warner, per Order, ...					5	0 0
Paid Joseph Harvey, per Order, ...					3	0 0
Paid Abraham Shelley, for Maintenance of Prisoners					£12	4 0

Paid William Till, Esq; one of the Supreme Judges, two Orders of Assembly, £25 and £50, ...	£75 0 0		
Paid John Kinsey, Esq; Chief Judge of the Supreme Court his Salary, ... £150 0 0			
And by Order of Assembly for his Service in drawing of Bills, ... 30 0 0			
	£180 0 0		
		£255	0 0
Paid William Dewees, per Order, ...		3 15	0
Paid Thomas Burden, per Order, ...		13 3	6
Paid John Musser, per Order		3 0	0
Paid Edward Drury, Express to Virginia,		10 0	0
Paid Richard Peters, Secretary, his Salary,	15 0 0		
And for his Service at the Indian Treaty, at Lancaster, ...	10 0 0		
And for a Copy of the Treaty	3 0 0	£28	0 0
Paid sundry Expenses for the Indians, viz. Paid for Sundries presented to the Delaware Indians, ...	£30 17 10		
Paid Conrad Weiser, and Indian Expences, ...	22 14 2½		
Paid Thomas Burden, for Maintaining Indians when in Town, ...	1 18 10		
Paid William Bissel, Work done for the Indians, ...	0 6 0		
Paid Richard Peters, per Order, for Expences at the Indian Treaty at Lancaster, ...	152 14 1		
Paid Edward Shippen, for a Present to the Shawany Indians, ...	20 1 1		
Paid for sundry Goods presented to the Delaware Indians, ...	50 0 0		
Paid for their Expences in Town, ...	13 1 0		
		£291	13 0½

Paid John Pole and John Mifflin, in part of an Order of Assembly for £ 2000,	496 15 0	
	2511 10 4	
Commissions on £ 2511 10 4 at 5 per Cent.,	125 11 6½	
	£2637 1 10½	
Balance in the Treasurer's Hands due to the Province,	386 11 5	£3023 13 3½
That we have examined the Account of Rees Meredith, late Collector of Excise for the City and County of Philadelphia, and find that he Credits the Province by Amount of Excise from the first of June 1744, to the first of June 1745,	1870 3 10	
And by sundry Sums received in Part of a List of outstanding Debts returned by the former Collector,	20 6 6	£1890 10 4
That he Charges the Province with sundry Payments of Cash to the Provincial Treasurer,	1695 10 0	
To Commissions on £1870 3 10 at 5 per Cent,	93 10 2	
To outstanding Debts,	101 10 2	£1890 10 4
That we have examined the Account of William Atkinson, Collector of Excise for the County of Bucks, and find that he Credits the Province,		
By the Balance of Account settled with the Committee last Year,	115 1 8	
By Amount of Excise from 1st of June, 1744, to the 1st of June, 1745,	151 6 8	£266 8 4
That he Charges the Province with the following Articles, viz.		
To Cash paid the Provincial Treasurer since the last Settlement,	152 0 9	
To an Allowance for Advertisements, &c	1 5 0	
To Commissions on £152 0 9, at 10 per Cent,	15 4 0	
	168 9 9	
Balance due to the Province,	97 18 7	£266 8 4
That we have examined the Account of Jeremiah Star, Collector of Excise for the County of Chester, and find that he Credits the Province,		
By Amount of Entries from June 1st, 1744, to August 17th, 1745,	493 9 8	
By a Fine received from Robert Edgar,	2 10 0	£495 19 8
That he Charges the Province,		
To Cash paid the Provincial Treasurer,	£147 15 [illegible]	
To Commissions on £147 15 6, at 10 per Cent,	14 15 6½	
	162 11 0½	
Balance due to the Province,,	333 8 7½	£495 19 8

That the Collector of Lancaster being sick, did not appear, nor exhibit any Account, but we find that he has paid into the Hands of the Treasurer, the Sum of £74 3 6

That we have examined the Account of James Mitchel, late Collector of the County of Lancaster, and find that he Credits the Province,

By Ballance of Account settled with the Committee last Year, ... £48 18 2

That he Charges the Province,

To a Loss on Peter Allen's Excise, ...	4 15 9½	
To Cash paid the Provincial Treasurer, in full Discharge of his Account, ...	40 2 0	
To Commissions on £40 2 0, at 10 per Cent, ...	4 0 4½	
		£48 18 2

That the present Collector for the City and County of Philadelphia, having been but lately in Office, did not produce any Account; but the Provincial Treasurer gives Credit for £26 0 0, received from him, ... £26 0 0

We do further Report, that we have sunk and destroyed of the old Bills of Credit of the several Emissions, pursuant to the Directions of the £80,000 Act, the Sum of	£2,904 14 6	
And sunk by former Committees	61,106 16 0	
	64,011 10 6	
There remains to be sunk, to complete all the Bills of the several Emissions before the Eighty Thousand Pound Act.	4,878 4 6	
		£68,889 15 0

We have also sunk and destroyed of the Bills emitted by Virtue of the £80,000 Act, in Pursuance of an Act of Assembly, the Sum of £95 5 9

That the Accounts of Charles Read, former Collector of the Excise for the City and County of Philadelphia, and of the Duty upon Negroes, remain as in the Report of 1734.

Submitted to the Correction of the House, Aug. 20, 1745, by

Isaac Norris, Edward Warner, Abraham Chapman."
James Morris, Joseph Harvey,

The House resuming the Consideration of the Petition of a Number of the Inhabitants of *Bucks* County, relating to the Dam over *Neshamineh Creek*, after some Debate thereon, referred the further Consideration thereof to the succeeding Assembly.

Then the several Orders on the Treasurer and Trustees for the Allowances made for public Services for the Current Year, being signed by the Speaker, by Order of the House,

The House adjourned to the Thirtieth of *September* next.

The Representatives having been again summoned to meet the Governor in Assembly, the House met accordingly.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor and acquaint him, that a Quorum of the House is met, pursuant to his Summons, and ready to receive any Thing he may have to lay before them.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say, he would send a Message to the House To-morrow Morning, together with sundry Papers for their Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, sent down a written Message to the House, with sundry Papers referred to therein, which were read, and the Message follows in these words, *viz.*

Gentlemen,

'The Occasion of my calling you together so soon after your Adjournment, is a Letter I received last Week by Express from Governor Clinton, informing me of some late Transactions between the *French* Governor of *Canada* and the United Nations of *Indians*, in their Treaty at *Montreal*, and inviting this Government to send Commissioners to *Albany*, (where he proposes to meet the *Indians* on the 4th of the next Month) furnished with proper Means for retaining them in their Fidelity to his Majesty, and their Engagements with the respective *British* Colonies.

'When I reflect on the long approved Faith of these People, their grateful Acknowledgements for the Protection from Time to Time received from the *English* against the Attempts made by the Enemy to enslave them, and on the solemn Assurances given to me at the late Treaty of *Lancaster*, to observe a strict Neutrality in the present War, and to maintain inviolably their Friendship with the *British* Colonies, I am

not easy to entertain Suspicions to their Prejudice; but, upon recollecting what passed in a private Conversation between one of the most politick of their Sachems and our Interpreter, when he was last at *Onontago*. I am not without Apprehensions, that the Success of his Majesty's Arms at *Cape Breton* may induce them to throw themselves into the *French* Scale, in order to preserve the Balance. For that *Indian* Sage said, "That however meanly they may be thought of, they were not unacquainted with their own true Interests; and therefore would not join with either Nation in the War, unless compelled to it for their own Preservation: That hitherto, from their Situation and Alliances, they had been courted by both; but should either prevail so far as to drive the other out of the Country, they should be no longer considered, Presents would be no longer made to them, and in the End they should be obliged to submit to such Laws, as the Conquerors should think fit to impose on them." The *French* Governor has artfully suggested the same Things, and their Acceptance of a Belt of Wampum from him, with the Figure of a Hatchet wrought in it, though it be but to deliberate upon it, is a Mark of some Degree of Approbation, and by no Means a good Omen to us. There is but one probable Method of securing them in our Interest, and that is to persuade them, by outbidding the Enemy, ot an open Declaration for us: Money, notwithstanding their Reasoning, having always been the prevailing Argument with them. Should the present Opportunity be lost, it is much to be feared, that the Intrigues of the *French* in the ensuing Winter will seduce and entirely alienate them from us. But supposing the best of them, that their Inclinations are with us, and that they are still resolved to observe a Neutrality, if their Allies break it, and take up the Hatchet agains us, they must either join them, or fly to us for Protection; which can be no way so effectually secured to them, as by an Union of all the *British* Northern Colonies for that Purpose.—This is a Matter which very nearly concerns the Quiet and Safety of the People of *Pennsylvania;* and as such I recommend it to your most serious Consideration and have ordered the Letter referred to, with some other Papers, to be laid before you for your more particular Information.

'The Secretary will likewise deliver to you another Letter, received since the Writs were issued, from the Government of the Massachusetts, renewing their Application for an Aid of Men, Arms and Ammunition, as absolutely necessary for the Defense of *Louisburg*, against the Attempts, which they

apprehend will be made by the Enemy, to recover it. The Mortification must be very great to every Lover of his Country, should so noble an Acquisition be wrested out of our Hands, for Want of a small Share of that Spirit in the other Colonies to preserve it, which inspired the People of New England to undertake and compleat the Conquest of it.

September 5, 1745. GEORGE THOMAS."

The Message was read a second time, and referred to further Consideration in the Afternoon; and then the House adjourned to Three o'Clock, P. M.

The Governor, by his Secretary, sent down a verbal Message to the House, recommending to them, that they would resume the Consideration of the Allowances made at their last Sitting, for the Maintenance of Prisoners brought into this Port by the Privateers, the same being lower than the Agreement he had (from the Encouragement given him by the House) made with the People that entertained them, and less than is allowed in a neighbouring Province; and desiring that the Assembly would for the future manage those Affairs by a Committee of their own.

The Governor's Message of the Morning, with the Papers accompanying it, was again read and considered; and the House being willing, before they came to any Result thereon, to know the Governor's Sentiments, whether he would be pleased to attend the Treaty at *Albany*, if the House made the necessary Provision for that Purpose; or, if the Governor shall decline going himself, then to whose Care he proposes to commit the Negotiation; the Speaker was desired to wait on the Governor after the Adjournment this Evening, and learn his Mind therein. And the further Consideration of the Governor's Message was adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Speaker acquainted the House, that, pursuant to their Order, he had waited upon the Governor, who was pleased to declare, that if he were in good Health he would cheerfully attend the Treaty proposed at *Albany*, to do the Province all the Service in his Power; but he was so indisposed, that it might endanger his life to go thither at this Season of the Year; and therefore, if any Thing were done, it must be by Commissioners, that he thought one of the Council, and one or more Members of the Assembly, might be fitting Persons on the Occasion; and named *Thomas Lawrence* of the Council,

Isaac Norris, and himself (the Speaker), as Commissioners for the Purpose.

The House resuming the Consideration of the Governor's Message, and the Papers therein referred to,

Ordered, That *Thomas Leech*, *Israel Pemberton*, *Abraham Chapman*, *Samuel Levis* and *James Mitchell* be a Committee to prepare a Draught of an Answer to the Governor's Message, and that they report the same to the House.

Then the House adjourned to Three O'Clock, P. M.

The Speaker communicated to the House a letter the Governor had this Day received from Conrad Weiser, Interpreter to the Province, with Intelligence that Four Hundred *Indians*, Allies of the *Five Nations*, were gone in Pursuit of the revolted *Shawnese*, intending to cut them off, and that some young Warriors had lately passed by *Shamokin* in their Way to the Southward, against the *Catawbaes*, &c. which was read.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read, and, with some Amendments, approved of by the House, and ordered to be transcribed, that it may be sent up to the Governor.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the Governor,

Since "some late Transactions between the *French* Governor of *Canada* and the United Nations of *Indians*, in their Treaty at *Montreal*," have given Umbrage to our Neighbouring Government, as well as Cause to apprehand the Dangers which may arise from thence, we esteem our being called together on so important an Occasion, as a fresh Instance of the Governor's Care of the Inhabitants of this Province, who are nearly concerned in the Consequences, and may therefore justly expect from us "the serious Consideration" recommended to us.

"The long approved Faith of these People, their grateful Acknowledgements for the Protection from Time to Time received from the *English* against the Attempts made by the Enemy to enslave them; the solemn Assurances lately given the Governor to observe a strict Neutrality in the present War, and to maintain inviolably their Friendship with the *British* Colonies, are good Reasons against the easy entertaining Suspicions to their prejudice:" And yet, since there is some Cause

to apprehend Danger for the Influence of the *French*, we think it highly necessary that prudent Measures be taken "for retaining these *Indians* in their Fidelity to his Majesty, and their Engagements with the respective British Colonies."

If the Governor's Health would permit him to attend at the next Treaty appointed at Albany, it would be the most agreeable Method to us, as well as, in our Opinion, the most effectual. But as we are informed the Governor's Indisposition is likely to deprive us of these Advantages, we approve of the Commissioners the Governor hath been pleased to nominate to negotiate this Affair; and it shall be our Care to provide a Sum of Money for defraying their Expences, and for purchasing such a Quantity of Goods as will, we hope, be sufficient to present to the *Indians* at this time, expecting it will be necessary to make an additional one on their coming hither next Spring.

As to the Application last made by the Government of the *Massachusetts*, we think the Sum of Money we lately gave; and which is applied to their Use, should excuse us from any further Provision, at least for this Time.

The last Letter the Governor gave Directions to be laid before us, Gives us fresh Concern; for though the *Shawnese* are thought perfidious, and not well affected towards the Inhabitants of this Province, yet as the Attempt made by the *Six Nations* to cut them off will introduce War on our Frontiers, it affords but a disagreeable Prospect. If the Account of the Warriors of the *Six Nations* going against the Catawbaes be true, contrary to their late Agreement, perhaps the Government of Virginia may Justly expect Notice should be given them to prevent the Catawbaes being destroyed by Surprise.

The Necessity of the Commissioners to attend the Treaty at *Albany*, with the Present proposed to be make to the *Indians* of the *Six Nations*, is by this last Account rendered more conspicuous, as it appears requisite to remove the Prejudices they may have inbibed, and may cultivate a good Understanding with them."

And the same being signed by the Speaker, by Order of the House,

Ordered, That *Thomas Leech* and *James Morris* wait upon the Governor and deliver the same, and acquaint him, that the House are disposed to adjourn this Day to the Time of their former Adjournment.

Resolved, That *Two Hundred and Fifty Pounds* be allowed as a Present to the *Indians*, at the Treaty to be held at *Albany*,

Resolved, That *One Hundred Pounds* be allowed for the Expenses of the Commissioners, and Interpreter, who are to go to the Treaty at *Albany*.

An order was accordingly drawn on the Trustees of the Loan Office for the above Sums, and signed by the Clerk, by Order of the House.

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same according to Order, and that the Governor Made no Objection to the Adjournment proposed.

The House resuming the Consideration of the Governor's verbal Message, relating to the Support of the *French* Prisoners, after some Debate thereon,

Resolved, That though the House is of Opinion that the Charges are too high, and what ought not to be allowed hereafter, yet as the Governor had made the Agreement, the Sum of *Ten Shillings and Six-pence* per Week be allowed for the Board of the better Sort of those Prisoners.

Then Orders for the several Allowances being drawn, and signed by the Speaker, by Order of the House.

The House adjourned to the Thirtieth Instant.

INCIDENTAL CHARGES.

To the Honourable GEORGE THOMAS, Esq; the Remainder of his Support,	£	500	0	0
To *John Kinsey*, Esq; Chief Judge of the Supreme Court,		150	0	0
To *Thomas Graeme*, Esq; another of the Judges,		50	0	0
To *William Till*, Esq; another of the Judges,		50	0	0
To *Richard Patridge*, Esq; his Salary as Agent £ 100 Sterling,		175	0	0
To the Members of Assembly, for their Attendance at 5 s per Day, the Gross Sum,		250	19	6
To *Isaac Norris*, for 12 Days Attendance on the Committee of Accounts, and sinking Paper Money, at 5 s per Diem,		3	0	0
To *James Morris*, for 23 Days Ditto	£	5	15	0
To *Edward Warner*, for 21 Days Ditto,		5	5	0
To *Abraham Chapman*, for 23 Days, Ditto,		5	15	0
To *Joseph Harvey*, for 23 Days Ditto,		5	15	0
To *Tench Francis*, Attorney General by Order of the House,		50	0	0

To *Richard Peters*, Secretary, his Salary as Clerk of the Council,				15	0	0
To Ditto, for other Services, as per Account allowed by the House,				25	1	6
To *Benjamin Franklin*, as Clerk to the House, and for Printing Votes, per Account,				31	16	0
To *Benjamin Franklin*, for Expresses to *Virgina* and *Maryland*, paid by him, by Order of the Governor,				24	5	0
To Postage of sundry foreign Letters, per Account, to the 9th of November, 1743,				12	11	4
To *Samuel Kirk*, his Salary as Serjeant,				8	0	0
To *Thomas Borden*, for his Attendance on the Assembly, and Committee, as Doorkeeper, as per Account,				9	14	10
To *Charles Stow* for summoning 25 Councils, at 2s 6d,				3	2	6
To *Conrad Weiser*, for his Trouble and Ex pences on *Indian* Affairs, per Account,				40	0	0
To *John Stamper*, per Account,				6	11	4
To *James Alcorn*, for Expences, &c. in bringing the *Indian Mushamelon* to *Lancaster* Prison, per Account,				5	10	1
To *Nicholas Scull*, per Account,				9	9	8
To *William Biddle*, per Account for Dieting *French* Prisoners,	£39	13	10½			
To *Abraham Mason*, for Ditto, per Account,	7	4	0			
To *Sarah Montgomery*, for Ditto, per Account,	8	9	1			
To *Abraham Shelley*, for Ditto, per Account,	4	10	3			
To *Joseph Arthur*, for Ditto, per Account,	20	13	9			
				£	80	10 11½
				£1523	2	8½

AT AN ASSEMBLY *HELD IN* PHILADELPHIA, *THE FOURTEENTH DAY OF* OCTOBER, ANNO DOMINI 1745

By the Returns of the Sheriffs of the respective Counties, it appears that the following Gentlemen are duly chosen to

serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania* for the Year ensuing, *viz.*

For

Philadelphia County.	*Bucks* County.	*Chester* County.
John Kinsey,	*John Hall,*	*Joseph Pennock,*
Isaac Norris,	*Mark Watson,*	*Thomas Cummings.*
Edward Warner,	*Mahlon Kirkbride.*	*George Ashbridge,*
Joseph Trotter,	*Benjamin Field,*	*Francis Yarnal,*
Thomas Leech,	*Abraham Chapman.*	*Robert Lewis,*
James Morris,	*John Watson,*	*Joseph Harvey,*
Robert Jones,	*Richard Mitchell,*	*Samuel Levis,*
Owen Evans.	*Cephas Child.*	*Thomas Chandler.*

For *Philadelphia* City.		*Lancaster* County.
Israel Pemberton, / *Oswald Peele,*	Burgesses.	*John Wright, Arthur Patterson, James Mitchell, James Wright.*

And a Quorum being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker; and *Israel Pemberton* was chosen by a Majority of Voices; but he declining the Service, the House accepted of his Excuses, and proceeded to a new Choice; and then *John Wright* was chosen Speaker of this Assembly, and accordingly placed in the Chair.

Ordered, That *Edward Warner, Oswald Peele, John Hall, Samuel Levis* and *James Mitchell* wait upon the Governor, and acquaint him, that in Pursuance of the Charter of Privileges and Laws of this Province, a Quorum of the Representatives have met and chose their Speaker; and desire to know when the Governor will be pleased to receive the House, that they may present him.

The Gentlemen return and report, That they had waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say he would receive the House at Twelve o'Clock To-morrow.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Speaker with the whole House waited upon the Governor.

And being returned, the Speaker resumed the Chair and reported, that the House had waited upon the Governor and presented their Speaker, and that the Governor was pleased to approve their Choice. That the Speaker had thereupon made the usual Claim of Privileges, *viz.*

That the House, during the Time of their Sitting in Assembly, may enjoy Freedom of Speech in all their Propositions and Debates.

That the better to discharge the Business of the Public, they may at all seasonable Times have free Access to the Governor.

That their Persons and Estates may be protected from all Arrests and Molestations during the Time of Privilege accustomed.

That the Governor would be pleased not to hearken to any Report that may be made to him, touching any Matter debated in the House, until such Time as it shall have passed into a Resolve; nor give any Credit to such Report.

That if the Speaker, in reporting any Thing to the Governor as the Sense of the House, chance to be mistaken, such Mistake may not be imputed to the House; but that he may have Liberty to resort to them for their true Intent and Meaning, and that the Mistake may be excused.

All which the Speaker had requested as the just Rights and Privileges of the People of *Pennsylvania*, derived and confirmed to them by the Charter and Laws of this Province. And the Governor was pleased to assure them that the same should be invoilably preserved.

Then the Qualification by Law directed, was taken and subscribed first by the Speaker in the Chair, and afterwards at the Table by the rest of the Members present, in their Order.

Resolved, That *Benjamin Franklin* be Clerk to this House for the ensuing Year.

And he took the usual Qualification accordingly.

Resolved, That *Samuel Kirk* be Sergeant at Arms to this House for the ensuing Year.

Resolved, That *Thomas Borden* be Doorkeeper to this House for the ensuing Year.

Then the House adjourned to Three o'Clock, P. M.

Resolved, That *Richard Patridge* be the Agent of this Province at the Court of *Great Britain* for the ensuing Year.

Resolved, That *John Kinsey*, *Isaac Norris*, *Thomas Leech* and *Israel Pemberton* be a Committee of Correspondence.

Resolved, That *Isaac Norris*, *Edward Warner*, *James Morris*, *Abraham Chapman*, *Joseph Harvey* and *James Wright* be a Committee to audit and settle the Accounts of the General Loan Office, and other Public Accounts; and to sink and destroy the old Bills of Credit received in Exchange, pursuant

to the last Paper Money Act; and they have Power to send for Persons, Papers and Records.

Ordered, That *Isaac Norris*, *James Morris*, *John Hall*, *Samuel Levis* and *James Mitchell* be a Committee of Aggrievances for the ensuing Year; and they have Power to send for Persons, Papers and Records.

Ordered, That *Thomas Leech*, *Isaac Norris* and *Israel Pemberton* be a Committee to revise the Minutes before they are printed.

Resolved, That the House will this Day adjourn to the first second Day of the next 11th Month.

Ordered, That *Thomas Chandler* and *Mark Watson* wait on the Governor, and acquaint him, that the House is inclined to adjourn this Day to the 6th Day of the next 11th Month, if he hath no Objection to that Time.

The Gentlemen return and report, that they have waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say he had no Objection to the Time of Adjournment proposed.

Then the House adjourned to the 6th Day of the 11th Month next.

A Quorum of the Representatives met, pursuant to their Adjournment; and being informed by two Members of *Lancaster* County, that the Speaker was indisposed and unable to attend the Service of the House, and desired they would proceed to Business without him, his Absence was excused, and John Kinsey, Esq; was unanimously chosen Speaker in his Stead.

Ordered, That *Edward Warner*, *Oswald Peele*, *John Hall*, *Joseph Pennock* and *James Mitchell* wait upon the Governor, and acquaint him, that a Quorum of the Representatives are met, pursuant to their Adjournment; that they have been informed that their Speaker is unable to attend the Service of the House through Sickness, and therefore they have proceeded to a new Choice; and desire to know when he will be pleased to receive them, that they may present their Speaker.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say he would receive the House To-morrow at Twelve o'Clock.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

The House met, and the Speaker with the whole House waited on the Governor; and being returned, the Speaker reported, that the whole House had waited on the Governor, and presented their Speaker; that the Governor was pleased to express his Approbation of their Choice. That the Speaker had then said, that as the late Speaker had claimed the usual Privileges, it was not necessary for him to repeat them; except that which related to the Speaker particularly, *to wit*, That his unwilling Mistakes might be excused, and not imputed to the House. That the Governor was pleased to say, the Assemblies should be protected in all their Privileges as long as he continued in the Government. That the Governor had farther acquainted the House, that he should To-morrow Morning lay something before them for their Consideration.

Then the Qualification by Law appointed to be taken by Members of Assembly, was taken and subscribed by the Speaker, and by *Arthur Patterson*, a Representative for the County of *Lancaster*, who were not present at the last Meeting.

The House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, send down a written Message to the House, together with several letters referred to therein, and a Copy of the late Treaty with the *Indians* at *Albany*, which were read; and the Message follows in these Words, *viz.*

GENTLEMEN,

'I take the first Opportunity, since the Return of the Commissioners from *Albany*, to lay before you my Instructions to them, and their Report of the Treaty held with the *Indians* of the *Six Nations* at that Place; and I make no Doubt but their Conduct will be as satisfactory to you as it is to me. You will observe by the last Article of those Instructions, that had I been at Liberty to follow my own Judgment, and been secured of a Fund for supplying those Nations with Arms, Ammunition, and other Necessaries, for acting offensively against the *French*, I should, in Conjunction with the Neighbouring Governments, have urged them to an immediate Declaration of War, as the only Means, in my Opinion, of securing their Fidelity to his Majesty; for as it seems next to impossible for them to maintain their Neutrality much longer, if they are not speedily engaged by his Majesty's Colonies, their own Security will oblige them to join with the Enemy: Besides, it is certainly the Reverse of good Policy to indulge our Indians in a Neutrality, after the French have

compelled theirs to take up the Hatchet; it is giving the Enemy an Advantage, which they have already made use of, and will continue so to do, to the Destruction of the Inhabitants upon the Frontiers of the several Provinces. Before I quit this Subject, I must acquaint you, that by a Letter received, since your last Meeting, from the Governor of *Virginia*, I am informed, that the Catawbaes have refused to come to *Philadelphia*, as being too distant from their Country, and have declared, that they will not regard any Propositions made to them by the *Six Nations*, without first receiving a Token from them, attested by the Marks of some of their Sachims; and that from hence it is concluded, any farther Endeavours to reconcile them will be ineffectual. As this Mediation was set on Foot at the Desire of Governor *Gooch*, was to be carried on at the Expense of his Government, and has since been declined by him for the Reasons before mentioned, I forthwith took the properest Measures to make the *Six Nations* acquainted with the *Catawbaes* Resolutions, that their Deputies might be prevented from coming hither in the Spring, as well to save them the Trouble of a fruitless Journey, as us the Expence of maintaining them for some Time here, and of making them a Present at their Departure. There will probably be too frequent Occasions, during the Continuance of the War, for Expences of this Kind.

'You will observe, from the Information transmitted by the Governor of *New York*, that Preparations have been making by the *French* and their *Indians*, upon a Branch of the River *Mississippi*, for an Attack upon the back Parts of this and some of the neighbouring Colonies. Although there should be no real Foundation for this Account, it is not improbable that something will be attempted upon us this Winter by the Enemy, since *Chartier* is gone over to them with a considerable Party of the *Shawnese*, who is well acquainted with the back Parts of this Province, knows the defenceless Condition of the Inhabitants, and is of a savage, treacherous Disposition. This, and some other Circumstances, considered, I forthwith dispatched a Messenger with circular Letters to the Officers appointed for a Militia in *Lancaster* County, with Orders to them, to be upon their Guard, and to make the best Preparations they could for their Defence; enjoining them, at the same Time, to be very careful not to do any Injury to the Indians in Amity with us, or to molest them in their Hunting. I likewise sent Directions to Mr. *Weiser* to employ some of the *Delaware Indians* at *Shamokin* as Scouts to watch the Enemy's Motions and to engage the whole Body of *Indians*

there to harrass them in their March, in case they should attempt any Thing against us, and afterwards to join our remote Inhabitants for their mutual Defence. These Measures appeared to me so absolutely necessary, that I could not doubt of your enabling me to defray any Expence that may attend them.

'The last Post brought me a Letter from Admiral *Warren*, dated at *Louisburgh*, the Twenty-sixth of *November*, in which he advises me, that no Ships were then arrived there from *Britain*, and that as it is probable the Regiments expected from *Gibraltar* will be forced to the *Leward Islands* by the Severity of the Season, and not arrive at *Louisburgh* in Time for its Defence against the Preparations which he hears are making in *Canada* to attack it early in the Spring, and even then be perhaps extremely weakened by Sickness and other Accidents; he calls upon me, agreeable to his Grace the Duke of *Newcastle's* Letter, formerly laid before you, to raise a Number of Men for the Defence of that important Acquisition, and to send them, with a Quantity of Provisions sufficient for their Support there, by the Middle of March next. He further informs me, that he thinks himself authorized, in Conjunction with Sir *William Pepperill*, to draw Bills for defraying Expence, and has sent me an Extract of the Duke of *Newcastle's* Letter to that Purpose; but as no Bills have been remitted to me for this Service, nor Officers sent to raise the Men, I must apply to you, and I doubt not but it will be a Service very acceptable to his Majesty, for an Advance of so much of the Public Money as will be necessary for paying, victualling and transporting as many Men as can be raised in so short a Time; and for rewarding such Officers as shall be commissioned to raise and to conduct them to *Louisburgh;* since no Commissions granted by me can intitle them to any Command in that Garrison, or elsewhere out of this Government.

'I need not tell you, that the last Vessels from *Europe* confirmed the Account, that a most unnatural Rebellion had broke out, and was then carrying on in *Scotland*, in Favour of a Popish Pretender, supported by *France* and *Spain*. At this Distance we can only pray that the Great God of Battles will grant Success to his Majesty's Arms, and that he will confound the Devices of all his and our Enemies, open and concealed. I trust that, through the Favour of Heaven, and the Justice of his Majesty's Cause, we shall soon have an Opportunity of offering our Congratulations upon an Event so desirable by Protestants of all Denominations, as well as by all that are for preserving the Freedom and Independency of their Country.

'Having mentioned every Thing to you of a Public Concern that occurred to me, I have only to assure you, that whatever shall be laid before me for the Welfare of the Province, will meet with a favourable Reception, and as much Dispatch as the Nature of the Business will admit of.

January 8, 1745-6 GEORGE THOMAS."

A Petition from a great Number of the Inhabitants of the back Parts of *Lancaster* County, setting forth, that they are settled on the Frontiers of the Province, and thereby subject to the first Attacks of the Enemy, who, as there is Reason to believe from late Informations, design an Attempt on this Province some Time this Winter; that being chiefly new Settlers, they are not able to provide Arms and Ammunition for their Defence, and praying that the House would order them a Supply of both; was presented to the House, and read. *Ordered to lie on the Table.*

Then the House adjourned to Three o'Clock P. M.

The Governor's Message was again read and considered, and the further Consideration thereof adjourned to To-morrow Morning.

A Petition from sundry Inhabitants of the Borough of *Lancaster* was presented to the House and read, setting forth, that the Petitioners, being *Lutherans* by Profession, had, with others, at a Great Expence, built a Church in the said Borough for the Exercise of their religious Worship; in which they had of late been made uneasy, by their Minister's joining with the *Moravians*, thereby causing a Division in the Church; so that the Petitioners, with many others, must either hear a Doctrine they do not approve of, or leave the Church to him and his Party; and praying that the House would grant such Relief as shall seem meet. *Ordered to lie on the Table.*

Ordered, That *Thomas Leech*, *Oswald Peele*, *Abraham Chapman* and *John Hall* be a Committee to inspect the Laws of this Province, and report which of them are expired, or near expiring, and ought to be re-enacted; with their Opinion what Amendments to them or others may be necessary.

Then the House adjourned to Ten o'Clock To-morrow morning.

The Governor's Message was again read and considered Paragraph by Paragraph,

Ordered, That *Thomas Leech*, *Israel Pemberton*, *John Watson*, *Joseph Pennock* and *James Wright* be a Committee to

prepare a Draught of an Answer to the said Message, and report the same to the House,

Then the House adjourned to Three o'Clock, P. M.

The Committee appointed to inspect the Laws of the Province, and report what Acts were near expiring, &c. made their Report in Writing, which was read, and follows in these Words, *viz.*

We, the Committee appointed to inspect the Laws of this Province, and to examine which are near expiring or expired, &c.

Do report, That the Act for the more easy and speedy Recovery of small Debts;

The Act for continuing and amending the Act of Assembly, entitled, *A Supplement to the Act for electing Members of Assembly*, &c. And,

The Act for the better securing the City of *Philadelphia* from the Danger of Gunpowder: All three expire this Year.

That the Acts about the Poor want some Amendments.

That the Act for vesting the State-House, &c. in Trustees, for the Use of the Province, &c. directs, that *Andrew Hamilton* and *William Allen* should make a good and sufficient Deed to the Trustees, &c. which we suppose is not yet done.

That the Act for re-emitting Paper Money will cease in a few Years. And as the said Currency conduces so much to the Trade and Benefit of this Province, we think it necessary to provide in time for the Continuance thereof.

That the Act to prevent the grievous Sin of Cursing and Swearing wants a Supplement, the better to enforce the Execution thereof.

That the Act for erecting of Houses of Correction and Workhouses in the respective Counties of this Province, having not been complied with in the County of Bucks, by building the said Houses within the Time limited in the said Act, we think a Supplement is necessary, to enable the said County to build, maintain and support such Houses.

Submitted to the Consideration of the House, by

Thomas Leech, John Hall,
Abraham Chapman, Oswald Peele."

Ordered, That *Thomas Leech*, *Abraham Chapman* and *Joseph Pennok* be a Committee to prepare and bring in a Bill for the more easy and speedy Recovery of small Debts.

Ordered, That *Thomas Leech*, *Abraham Chapman* and *Joseph* be a Committee to prepare and bring in a Supplementary Bill to the *Act for electing Members of Assembly*.

Ordered, That *Israel Pemberton*, *Oswald Peele* and *James Morris* be a Committee to prepare and bring in a Bill to secure the City of *Philadelphia* from the danger of Gunpowder.

Ordered, That *Israel Pemberton*, *Oswald Peele*, *James Morris*, *Edward Warner*, *Joseph Trotter* and *Thomas Leech* be a Committee to prepare and bring in a Bill for the Amendment of several Laws relating to the Poor.

Ordered, That *Israel Pemberton*, *Abraham Chapman* and *Samuel Levis* be a Committee to prepare and bring in a Bill to continue the re-emission of the Paper Money.

Ordered, That *Robert Jones*, *Owen Evans*, *Richard Mitchell* and *Arthur Patterson* be a Committee to prepare and bring in a Supplementary Bill to the *Act for preventing the grievous Sins of Cursing and Swearing*.

Ordered, That *John Watson*, *Cephas Child*, *John Hall* and *Mahlon Kirkbride* be a Committee to prepare and bring in a Bill to enable the County of *Bucks* to build Workhouses, &c.

Ordered, That *Israel Pemberton*, *Joseph Harvey*, *Thomas Chandler*, *George Ashbridge* and *Richard Mitchell* be a Committee to prepare a Bill for amending the Flour Act.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, send down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'Since the Meeting of your House, a Petition has been presented to me from a considerable Number of the Inhabitants of *Lancaster* County, setting forth their Want of Arms and Ammunition, and their Inability to purchase any, from their having expended what little Substance they had in Clearing and Improving their Lands; and praying, that I would recommend to the Assembly the making such a Provision of both, as may enable them to defend themselves against any Enemy that shall attempt to disturb them.

'Whether there be any Truth in the late Intelligence from *Minisink* or not, it must be allowed, that there is a Possibility of an Attack upon us; and even in that Case, some Provision should be made for the Security of our Frontier Settlements at Least.

'If the expence of supplying such a Number of People with Arms should be thought too great, three or four Hundred may be purchased, and delivered to those that want them most, and are most likely to make a right Use of them; they giving a Note of Hand either to return them in good Order at a certain Time, or to pay the Cost of them into the Public Treasury, agreeable to the Practice in some other Colonies.

Jan. 10, 1745-6. GEORGE THOMAS."

The Consideration of the Governor's Message is adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor's Message of Yesterday was again read and considered.

Ordered, That *Israel Pemberton*, *James Morris*, *Mark Watson*, *Joseph Pennock* and *Arthur Patterson* be a Committee to prepare a Draught of an Answer to the said Message, and report it to the House.

The Petition from a Number of Inhabitants of *Lancaster* County, praying a Supply of Arms, &c. was again read and considered, and referred to the Committee on the Governor's Message: who are to report their Opinion what is proper for the House to do therein.

Then the House adjourned to next second Day at Three o'Clock, P. M.

The House met, pursuant to their Adjournment.

A Petition from *Owen Jones*, of the City of *Philadelphia*, was presented to the House and read, praying, that he may be appointed the Officer for putting the Flour Act in Execution. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of an Answer to the Governor's first Message, reported the same to the House; and it was read, and referred to further Consideration in the Afternoon.

A Petition from *Elizabeth Chancellor*, Daughter and acting Executrix of *William Chancellor*, late of Philadelphia, deceased, setting forth, that the said *William Chancellor*, in Pursuance of an act of Assembly of this Province, did at a considerable Expence erect a suitable House for the safe Keep-

ing of Gunpowder, where due Attendance has hitherto been given, for receiving and delivering out the same; but the said Act being now near expiring; and a numerous Family of small Children left by the said *William*, having little other Dependance for their Support and Education, than the Profits that may arise out of the said Powder-house; the Petitioner in their Behalf prays, that the said Act may be renewed in their Favour, and the Powder-house continued in the Place it now is, for such longer Term as to the House may seem meet; was presented to the House and read, and ordered to lie on the Table.

A Petition of *John Lewis*, of the County of *Chester*, was presented to the House and read, praying, that he may be appointed the Officer for executing the Flour Act. *Ordered to lie on the Table.*

A Petition from *John Potts*, *Henry Harry*, *William Bird* and *Francis Parvin*, in Behalf of themselves and a great Number of other Inhabitants of *Lancaster* and the back Parts of *Philadelphia* Counties, formerly Petitioners to the House for the erecting of a new County, was presented to the House and read, praying, that their former Petitions may now be considered; and that for the Reasons therein contained, a new County may be laid out and erected, according to the Lines drawn in a Map then laid before the House, or in such other Manner as to the House shall seem meet. *Ordered to lie on the Table.*

The Committee appointed to prepare and bring in a Bill for the more easy Recovery of small Debts, reported the same to the House; and it was read the first time, and ordered a second Reading.

The Committee appointed to prepare and bring in a Bill for amending the several Acts for electing Members of Assembly, reported the same to the House, and it was read the first time, and ordered a second Reading.

Then the House adjourned to Three o'Clock, P. M.

The Answer to the Governor's Message was again read and considered; and ordered to be transcribed, that it may be sent to the Governor.

A Petition from sundry Inhabitants of the Borough of Bristol was presented to the House and read, setting forth, that there is frequent Occasion in the said Borough of raising Money to defray the necessary Charges of Regulating and Repairing the Streets, Public Wharfs, Landing Places, Stocks, Stalls, &c. and that a Market-house, House of Correction and

Workhouse are now wanted there; and praying, that, as there Corporation hath no power to raise Money for such Purposes, the House would, on Consideration of the Premises, grant them such Relief as shall seem meet. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the Governor,

We have under our Consideration the Instructions the Governor was pleased to give to the Commissioners appointed to treat with the *Indians* at *Albany*, and their Report concerning that Treaty, laid before us by the Governor's Directions: both are very satisfactory to us; the former, as it is a fresh Instance of the Governor's Care for the Inhabitants of the Province; and for which we therefore render him our hearty Thanks; and the latter, as it shews the *Indians* of the *Six Nations* yet retain their antient Friendship towards this and other the King's Colonies in *America*. War, in most Cases, is attended with some disagreeable Consequences, amongst *Indians* with many and of the worst Kind; for which, and other Reasons, it would have been most agreeable to us, if the Circumstances of public Affairs would admit the *Indians* of the *Six Nations* to remain neutral: And it gives us great Concern, that the pernicious Conduct of the *French* at *Canada*, in setting their *Indians* on destroying the Inhabitants of some of our neighbouring Governments, hath given them so much Cause to think they are put under the Necessity of engaging the *Indians* in Amity with us to declare War against the *French* and their *Indians*, and to avenge themselves of the Injuries done.

We could have heartily wished the Mediation which the Governor was pleased to undertake, at the Desire of the Governor of *Virginia*, to obtain a Reconciliation between the *Indians* of the *Six Nations* and the *Catawbaes*, had been effectual; their destroying each other not only weakens the *British* Interest in *America*, but at this Time must be particularly injurious to the *Six Nations*, as they are likely to be engaged by the Government of *New York* in a War with the *French* and their *Indians:* but if Colonel *Gooch*, at whose Request this Mediation was undertaken, continues to decline it, we know not what further can be done. We think, however,

it was prudently done in the Governor to acquaint the *Six Nations* with the Resolutions the Catawbaes have taken, as well to save their Deputies the Trouble of a fruitless Journey, as us the Expence it must otherwise have occasioned.

When we consider the Information transmitted to the Governor of *New-York*, now laid before us, touching the Preparations said to be making by the *French* and their *Indians*, upon a Branch of the River Mississippi, for an Attack upon the back Parts of this and some of the neighbouring Colonies, in all its Circumstances, it leaves us room to doubt whether it hath a real Foundation. It was, however discretely done in the Governor to acquaint the People of *Lancaster* County with the Report; and as the employing of some of the *Delaware* Indians to keep Watch, and to give those Inhabitants Notice if any Danger shall approach, may contribute to render them the easier in their present Situation, we approve of the Governor's Conduct therein, and the Expence which shall arise by this Means we are willing to pay.

As to the Letter the Governor is pleased to lay before us, received from Admiral *Warren*, in relation to Cape *Breton;* since we have so lately given a Sum of Money, which was laid out in Provisions, and which the Governor was pleased to apply to the Use of the Garrison on that Island; and as the Admiral thinks himself, in Conjunction with Sir *William Pepperill*, authorized to draw Bills for any Purposes which they shall think necessary to preserve that important Acquisition, we think they can be at no Loss, especially at a Time when Bills of Exchange are in so great Demand, to raise any Sum of Money they may think fitting, without any assistance of ours.

The unnatural Rebellion which hath broke out, and was lately carrying on in *Scotland*, supported by *France* and *Spain*, gives us great Concern. It is astonishing to us how any of our Fellow-Subjects, who enjoy so many and great Privileges under the present happy Establishment, should be so blinded towards their true Interest, as to countenance a Popish Pretender against our present King; and we heartily join in our Prayers to Almightly GOD to establish his Throne, protect his Royal Person, and confound the Devices of his Enemies, open and concealed.

We return the Governor hearty Thanks for the Assurance he is pleased to give us.

"That whatever shall be laid before him for the Welfare of the Province, will meet with a favourable Reception." We have divers Things of this Kind now before us, which, in due

Time, we shall offer to his Consideration, "not doubting of as much Dispatch as the Nature of the Business will admit of."

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Mark Watson*, and *Richard Mitchell* carry up the same to the Governor.

A Bill, entituled, A Supplementary Act to the Act, entituled, *An Act for preventing the Exportation of Bread and Flour not merchantable*, was read the first time, and ordered a second Reading.

The Petition from the Inhabitants of the Borough of *Bristol* was again read; and the same is referred to the Consideration of the Committee who are to bring in a Bill for empowering the County of *Bucks* to build Work-houses, &c.

Ordered, That the Charter of the Borough of *Bristol* be laid before the House in the Afternoon.

A Petition from *Robert Sewell*, of the city of *Philadelphia* was presented to the House and read, praying, that if the Flour Officer is changed, he may be appointed to execute that Office. *Ordered to lie on the Table.*

A Petition from *John Potts*, and others for a new County, was again read, and referred to further Consideration.

The Petition of *Elizabeth Chancellor* was again read, and referred to the Committee who have under Consideration a Bill relating to the Powder-house.

Then the House adjourned to Three o'Clock, P. M.

The Gentlemen appointed to wait on the Governor with the Message of the House, report that they have delivered the same according to Order.

A Petition from *Joseph King*, of the City of *Philadelphia*, was presented to the House and read, setting forth, that he is informed there is a Disposition in the House to remove the present Flour Officer from his Office, that he hath for a considerable Time past acted as Deputy to the said Officer, and conceives he hath in that Station given general Satisfaction, as may appear by several Testimonies of a Number of Merchants and Millers laid before the House; and praying, that if the present Officer is removed, he may be appointed to succeed him. *Ordered to lie on the Table.*

The Charter of the Borough of *Bristol* was laid before the House by a Member of *Bucks* County, and read by Order.

The Petition from the *Lutheran* Inhabitants of the Borough of *Lancaster*, was read a second time, and considered; and the

Petitioners are referred to such Remedy as they may be advised to take in order to right themselves by Law.

A Petition from *Nathaniel Grubb*, of *Chester* County, was presented to the House and read, praying, that he may be appointed the Officer for putting the Flour Act in Execution. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for the more easy and speedy Recovery of small Debts was read a second time, and considered, and the further Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Bill for the more easy and speedy Recovery of small Debts, and having gone through the same, it was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for amending the several Acts for electing Members of Assembly was read a second Time, and debated; and the farther Consideration thereof was adjourned to the Afternoon.

A Petition from *Samuel Carpenter*, the present Officer for executing the Flour Act, was presented to the House and read, gratefully acknowledging the Favour of his Appointment to that Office, and setting forth, that being himself weak and indisposed, he hath always taken Care by a well qualified Deputy, to have the Act well executed; that though there is no Ground for Complaint, the Reputation of our Flour advancing abroad, yet he is informed several persons are unkindly petitioning the House for his Office; and praying that those Petitions may be dismissed. *Ordered, to lie on the Table.*

Then the House adjourned to Three o'Clock, P. M.

The House continued the Reading and Consideration of the Bill for amending the several Acts for electing Members of Assembly, and having gone through the same, it was ordered to be engrossed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from a considerable Number of the Inhabitants and Owners of Lots at the Northerly End of the City of *Philadelphia*, and in the *Northern Liberties*, setting forth, that they are deterred from further Building and Improving on

the said Lots by the near Situation of the Powder-house, from whence they apprehend Danger; that many good Tenements would soon be begun, with Wharfs and Stores, contributing much to the Beauty and Advantage of the said City and Neighbourhood, and the Employment of Artificers and Labourers, if that Obstacle was removed; which would also expedite the erecting a new Market in the Place laid out for that Purpose, to the great Conveniency of the neighbouring Inhabitants now grown numerous, and of the Country People who should be willing to supply it with Provisions, and therefore, praying, the House would direct a Powder-house to be built in some other Place more suitable; was presented to the House and read, and ordered to lie on the Table.

The Petition of *John Potts*, and others, for a new County was again read, and referred to further Consideration.

A Minute of the last Assembly relating to a Dam over *Neshamineh* Creek was read, upon Motion, and the Affair referred to further Consideration.

Then the House adjourned to next Third Day at Three o'Clock, P. M.

The House met pursuant to their Adjournment, and adjourned to Ten o'Clock To-morrow Morning.

The engrossed Bill for the more easy and speedy Recovery of small Debts was read the third time.

Resolved, That the Bill do pass.

Then the House adjourned to Three o'Clock, P. M.

The engrossed Bill for amending the several Acts for electing Members of Assembly, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *John Hall* and *Oswald Peele* carry up the said Bills to the Governor and desire his Concurrence thereto.

A Bill for the re-emitting and continuing the Loan of the Bills of Credit of this Province, was brought in by the Committee for that Service appointed, and read the first time; and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Petition from a Number of Inhabitants of the City of *Philadelphia*, relating to the Powder-house, was again read, and referred to the Committee who have the Powder-house Bill under their Consideration.

The Gentlemen appointed Yesternight to wait upon the Governor with the Bills that had past the House, report, that they delivered the same according to Order: and that the Governor was pleased to say, he would give them all the Dispatch he could.

The Bill for re-emitting and continuing the Loan of the Bills of Credit of this Province was again read, and referred to further Consideration in the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Bill for the re-emitting and continuing the Loan of the Bills of Credit of this Province; and the same being read Paragraph by Paragraph, and debated, the further Consideration thereof was adjourned till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House resumed the Consideration of the Bill for re-emitting and continuing the Loan of the Bills of Credit of this Province; and the same was re-committed to the Committee that brought in the same for Amendments.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Reading and Consideration of the Supplement to the Flour Act; and after some Time spent therein, adjourned the same to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The farther Consideration of the Flour Bill was adjourned to next Third Day Morning.

A Bill for the better regulating the Nightly Watch in the City of *Philadelphia*, was brought in by a Member with the Leave of the House, and read the first time, and ordered a second Reading.

A Supplementary Bill to the Act, entitled, *An Act for erecting Work-houses and Houses of Correction in the respective* Counties, &c. was brought in by the Committee to that Service appointed; and read the first time, and ordered a second Reading.

Then the House adjourned to next Second Day at Three o'clock, P. M.

The House met, pursuant to their Adjournment, and adjourned to Ten o'Clock To-morrow Morning.

A Bill for amending the Laws relating to the Poor, and for the better appointing of Overseers of the Poor within the City of *Philadelphia*, was brought in by the Committee to that Service appointed, and read the first time, and ordered a second Reading.

The Governor, by his Secretary, sent down the Bill for the more easy and speedy Recovery of small Debts, and the Bill for amending the several Acts for electing Members of Assembly, with some small Amendments, which were read.

The Supplementary Bill to the Act for erecting Houses of Correction and Work-houses, &c. was read a second time, and referred to further Consideration.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Supplementary Bill to the Act, entitled, *An Act for preventing the Exportation of Bread and Flour not merchantable;* and the same was re-committed to the Gentlemen that brought in the same for Amendments.

A Bill for erecting a House of Correction and Workhouse in the Borough of *Bristol*, &c. was brought in by the Committee appointed to that Service, and read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House took into Consideration the Amendments proposed by the Governor to the Two Bills that had been laid before him; and the same were agreed to; and the Bills amended accordingly; and ordered to be engrossed.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor, and acquaint him, that the House have agreed to the Amendments proposed by him; and that they think some Inconveniencies would arise, if the Addition were made relating to Attachments under *Five Pounds*, which he was pleased to recommend to their Consideration; and therefore they have not gone into it.

The Gentlemen return and report, that they waited on the Governor, and delivered the Message of the House, according to Order,

The House resumed the Consideration of the Supplementary Bill to the *Act for erecting Houses of Correction and Work-houses in* the respective Counties, &c. and after some Debate, the farther Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

A Bill for the more effectual suppressing of profane Cursing and Swearing, was brought in by the Committee to that Service appointed, and read the first time; and ordered a second Reading.

The House resumed the Debate on the Supplementary Bill to the *Act for erecting Houses of Corrction and Work-houses*, &c. and after some Time spent therein, the same was re-committed to the Committee that brought in the same for Amendments.

The Bill for amending the Laws relating to the Poor and for the better Appointment of Overseers of the Poor within the City of *Philadelphia*, was read a second time, and considered; and the farther Consideration thereof was adjourned till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

An Account of *Thomas Ellis*, for Glazing the State-house, in the Time that *Andrew Hamilton*, Esq: was Superintendant, amounting to *Twenty Pounds Eight Shillings and Nine-pence*, being laid before the House, was read, and allowed; and ordered, that an Order upon the Treasurer issue under the Hand of the Speaker, in full Discharge of the same.

A second Petition from a considerable Number of the Inhabitants of *Philadelphia* and *Lancaster* Counties, praying to be set off into a new County, &c. was presented to the House, and read; and ordered to lie on the Table.

The Supplementary Bill to the *Act for erecting Houses of Correction and Work-houses*, &c. was brought in with Amendments, by the Committee to whom it was re-committed, and it was read, and ordered to be engrossed for a third Reading.

The Bill for amending the Laws relating to the Poor, &c. was read Paragraph by Paragraph, and debated; and the same was re-committed to the Gentlemen that brought in the same, for Amendments.

Then the House adjourned to Three o'Clock, P. M.

Isaac Norris, returned a Representative for the County of *Philadelphia*, appeared in the House, and having taken and subscribed the Qualification by Law appointed to be taken by the Members of Assembly, he took his Seat in the House accordingly.

The Bill for amending the Laws relating to the Poor, &c. was brought in with Amendments by the Gentlemen to whom

it was committed; and being read, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock to-morrow Morning.

The House resumed the Reading and Consideration of the Supplementary Bill to the Act for preventing the Exportation of Bread and Flour not merchantable; and after some Debate thereupon, the farther Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock in the Afternoon.

The House proceeded in the Reading and Consideration of the Supplementary Bill to the *Act for preventing the Exportation of Bread and Flour not merchantable;* and after long Debate thereon, the farther Consideration thereof was adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for Amendment of the Laws relating to the Poor, &c. being engrossed, was read a third time;

Resolved, That the Bill do pass.

The Supplementary Bill to the Act for erecting Houses of Correction and Workhouses, &c. being engrossed, was read the third time;

Resolved, That the Bill do pass.

Ordered, That *Mark Watson* and *Mahlon Kirkbride* carry up the said Bills to the Governor, and desire his Concurrence thereto; and farther, that they acquaint him the House is inclined to adjourn this Day for two Weeks, if he hath no Objection.

The Gentlemen return and report, that they waited upon the Governor and delivered the Bills according to Order, and that he was pleased to say he would give them all the Dispatch he could; that they also acquainted the Governor with the proposed Time of Adjournment, on which he was pleased to say he had some Matters of Importance that came to His Hands late last Night, to lay before the House, which must be accompanied with a Message that was not yet quite ready, and therefore he could not approve of the Adjournment proposed.

The *Lancaster* Members were, at their Request, excused from attending the Service of the House next Week.

Then the House adjourned to next Second Day at Three o'Clock P. M.

The House met, pursuant to their Adjournment.

The Governor, by his Secretary, sent down a written Message to the House, with two Letters referred to therein, which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

'Having received a Letter from Governor *Clinton*, and another from Governor *Shirley*, by the last Post, I have ordered the Secretary to lay them before you: And as I cannot take upon me to enter into any Engagements in Behalf of this Government without your Concurrence and Assurance of enabling me to perform them; my Answers to these Letters must arise from the Resolutions of your House. My Sentiments of the Necessity of an Union of the several Colonies for the Defence of their Frontiers, and of securing the Fidelity of the *Six Nations* and the *Indians* dependent upon them, and my Apprehensions of their being otherwise seduced by or compelled to join with the Enemy, have been so lately made known to you that I need not repeat them.—If you shall agree to my appointing Commissioners to confer with such as are and shall be appointed by the Governors of the several Colonies, I shall chearfully assist them with the best Instructions I can form for their Conduct in an Affair of so great Importance.

February 3, 1745-6 GEORGE THOMAS."

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor's Message, and the Letters that accompanied it, were again read and considered.

Ordered, That *Isaac Norris*, *Robert Jones*, *Oswald Peele*, *Joseph Pennock*, *Abraham Chapman* and *James Mitchell* be a Committee to prepare a Draught of an Answer to the Governor's Message, and report the same to the House.

An Order drawn on the Treasury, was signed by the Speaker, for the Payment of *Twenty Pounds Eight Shillings* and *Ninepence* to *Thomas Ellis*, in full of his Account.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the

House, and it was read by Order, and considered, and ordered to be transcribed, that it may be sent up to the Governor.

Resolved, That the House will this Day adjourn to the 24th Instant.

Ordered, That the Clerk send to England for the best Edition of the Statutes at large, for the Use of the House, and also for some large Maps (one of *North America*) to be hung up in the Assembly Room.

The Message to the Governor being transcribed, was read, and follows in these Words *viz.*

May it please the Governor,

We have taken into our Consideration the last Message, with the two Letters which the Governor was pleased to send us: and as to the Proposal made by the Governor of *New-York* for the Appointment of Commissioners from the several Colonies, we think it will be both difficult and unnecessary for us to be particular in our Sentiments concerning it, until we are ascertained how it will be taken by other Colonies; and whether any, and which of them, shall concur in such an Appointment. If such Commissioners shall be thought necessary for securing the *Indians* of the *Six Nations* in the *British* Interest, or for any other purposes which may appear to us to be for the general Good, we shall chearfully concur in it; And when we are made acquainted that such an Appointment is generally acceded to by other Colonies, and the Time and Place of Meeting be proposed, it will then, we think, be Time enough for us, who are near the Center of these Colonies, and who meet frequently on the Public Affairs of the Province, to deliver our Resolutions thereupon.

As to the Letter form Governor *Shirley*, we observe it was written before the Account of the Arrival of the Regiments sent from *Gibraltar* to the Garrison at *Louisburgh;* and the Proposition he makes, appears to us to be intended principally as an Expedient to have taken Place in Case of their Miscarriage; and as by the Public Accounts there is Reason to believe those Regiments are since arrived, we presume the Necessity of the Application to this Province may be removed.

The Expedition to *Carthagena*, the Manning of divers private Ships of War, and the Numbers which have inlisted in the King's Service, with the recruiting Officers from the Islands of *Jamaica* and *Antigua*, have drained this Province of many of its Inhabitants; and had we no other Objections, we conceive it can hardly be thought reasonable the Province of the *Massachusetts* should have the Assistance required from

hence, even though it were necessary, rather than from *Rhode-Island*, *Connecticut* and *New-Hampshire*, whose Situation and Engagements interest them more deeply than us in the Preservation of *Nova Scotia* and *Cape Breton*."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Thomas Chandler* and *Samuel Levis* wait upon the Governor with the same, and acquaint him, that the House intends to adjourn this Day to the 24th of the present Month, if he hath no Objection to that Time.

Ordered, That the Superintendants of the State-house provide some Means of breaking the Echo in the Assembly-room, that the Members may better hear one another.

The Gentlemen return and report, that they waited upon the Governor and delivered the Message of the House according to Order, and that the Governor was pleased to say he had no Objection to the Adjournment proposed.

Then the House adjourned to the Twenty-fourth of the 12th Month.

The House met, pursuant to their Adjournment.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor, and acquaint him, that the House is met according to their Adjournment, and ready to receive any Thing the Governor may have to lay before them.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say he should To-morrow Morning send down to the House the Bills that had been laid before him, with some Amendments.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from *Joshua Humphreys*, of *Merion*, Miller, was presented to the House and read, praying, that he may be appointed the Officer for putting the Flour Act in Execution, in Case the present Officer be removed.

Ordered to lie on the Table.

A Petition from *Abraham Shelly*, praying Payment of the Balance of his Account for maintaining *Spanish* Prisoners, was presented to the House and read; and ordered to lie on the Table.

The Bill for the more effectual suppressing profane Cursing and Swearing, was again read and considered, and the farther Consideration thereof was referred to the Afternoon.

The Governor, by his Secretary, sent down the Bill for amending the Laws relating to the Poor, &c. and the Supplementary Bill to the *Act for erecting Work-houses and Houses of Correction*, &c. with several proposed Amendments, which were read.

Then the House adjourned to Three o'Clock, P. M.

The Committee to whom the Bill for re-emitting and continuing the Loan of the Bills of Credit, &c. was committed, reported the same to the House with divers Amendments: and it was read by Paragraphs, and debated, and the farther Consideration thereof adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock to-morrow Morning.

The House proceeded in the Reading and Consideration of the Bill for re-emitting and continuing the Loan of our Bills of Credit, &c. and having spent some Time therein, the farther Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The House proceeded in the Reading and Consideration of the Bill for re-emitting, &c. and after some Time spent therein, the farther Consideration thereof was adjourned till To-morrow Morning.

Abraham Shelley's Account and Petition was referred to *Joseph Trotter*, *James Morris* and *Edward Warner*, who are to examine the same, and report thereupon to the House.

Then the House adjourned to Ten o'Clock to-morrow Morning.

The House proceeded in the Reading and Consideration of the Bill for re-emitting and continuing the Loan of the Bills of Credit, &c. and after some Time spent therein;

Ordered, That the same be engrossed for a third Reading.

The House resumed the consideration of the Bill for the more effectual suppressing profane Cursing and Swearing; and after some Debate thereupon, it was ordered to be engrossed for a third Reading.

Then the House adjourned to Three o'Clock, P. M.

The engrossed Bill for re-emitting and continuing the Loan of the Bills of Credit of this Province, was read the third time;

Resolved, That the Bill do pass.

Ordered, That *Samuel Levis* and *Owen Evans* wait upon the Governor with the said Bill, and desire his Concurrence thereto.

Resolved, That the House will To-morrow Morning go upon the Consideration of the Flour Bill.

The Gentlemen return and report, that they waited upon the Governor and delivered the Bill according to Order, and that the Governor was pleased to say, he would give it all the Dispatch he could.

The Bill for regulating the Nightly Watch of the City of *Philadelphia*, was read the second time, and committed to *Isaac Norris*, *Thomas Leech*, *James Morris*, *Edward Warner*, *Joseph Trotter* and *Oswald Peele*.

Then the House adjourned to Ten o'Clock to-morrow Morning.

The House resumed the Consideration of the Supplementary Bill to the *Act for preventing the Exportation of Bread and Flour not merchantable;* and after some Time spent therein, the farther Consideration thereof was adjourned to the Afternoon.

The Committee appointed to examine and consider the Account and Petition of *Abraham Shelley*, report, that they have done the same, and find the Sum of *Twenty-two Pounds Five Shillings* to be due him; which was agreed to by the House.

Then the House adjourned to Three o'Clock, P. M.

It being moved that sundry Persons are attending the House on the Petition of a Number of the Inhabitants of the upper Parts of *Philadelphia* and *Lancaster* Counties, praying a new County may be laid out, &c. it was

Resolved, That the House will at their next Sitting take the said Petition into Consideration.

The House proceeded in the Reading and Consideration of the Supplementary Bill to the *Act for preventing the Exportation of Bread and Flour not merchantable;* and after divers Amendments,

Ordered, That the Bill be engrossed for a third Reading.

The engrossed Bill for the more effectual suppressing profane Cursing and Swearing was read the third time,

Resolved, That the Bill do pass.

Then the House adjourned to Ten o'Clock to-morrow Morning.

A Petition from a Number of Millers was presented to the House and read, setting forth, that the Office for inspecting Flour at *Philadelphia* has for several Years been well executed by *Joseph King*, the deputed Officer, and the Credit of our Flour in the Markets abroad considerably advanced; and therefore praying, that in Case the present Officer be removed, the said Deputy may be appointed in his Place. *Ordered to lie on the Table.*

The engrossed Bill for erecting a House of Correction and Work-house in the Borough of *Bristol*, &c, was read the third time,

Resolved, That the Bill do pass.

The engrossed Supplementary Bill to the *Act for preventing the Exportation of Bread and Flour not merchantable*, was read the third time,

Resolved, That the Bill do pass.

Ordered, That *Thomas Chandler* and *Richard Mitchell* wait upon the Governor with the three Bills that have last passed the House, and desire his Concurrence thereto.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Bills according to Order; and that the Governor was pleased to say he would give them all the Dispatch he could.

Then the House adjourned to next Second Day at Three o'Clock, P. M.

The House met, pursuant to their Adjournment.

The Governor, by his Secretary, sent down the Bill for re-emitting and continuing the Loan of the Bills of Credit, &c. with some proposed Amendments, which were read.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Amendments proposed by the Governor to the re-emitting Bill were considered, and agreed to.

Ordered, That *Mark Watson* and *Abraham Chapman* wait upon the Governor and acquaint him, that the House have agreed to the said Amendments.

The Gentlemen return and report, that they delivered the Message of the House according to Order.

Ordered, That the said Bill with the Amendments be engrossed.

The House took into Consideration the Amendments proposed by the Governor to the Bill for amending the Laws

relating to the Poor, &c. to some of which they agreed, and in others adhered to their Bill.

The House took into Consideration the Amendments proposed by the Governor to the Supplementary Bill to the *Act for erecting Work-houses and Houses of Correction* &c. and after some Debate, the farther Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The Governor sent down the Bill for erecting a House of Correction and Work-house in the Borough of *Bristol*, &c without any Amendment; and the Bill for the more effectual suppressing of profane Cursing and Swearing, with one proposed Amendment; which was read.

The House resumed the Consideration of the Amendments proposed by the Governor to the Supplementary Bill to the *Act for erecting Houses of Correction and Work-houses*, &c to some of which the House agreed, with some Addition, and in others adhered to their Bill.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor with the Bill for amending the Laws relating to the Poor, and the Supplementary Bill to the *Act for erecting Work-houses*, &c. and acquaint him that the House agree to some of the Amendments proposed by him, and in others adhere to their Bills.

A Petition from *Thomas Edmiston*, of *Lancaster* County, praying Satisfaction for a Colt killed by the *Indians*, was sent down to the House by the Governor, and read. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed Yesternight to carry up the Bills for amending the Laws relating to the Poor, and for the better Appointing of Overseers of the Poor within the City of *Philadelphia;* and a Supplement to an Act, entitled, *An Act for erecting Houses of Correction and Work-houses in the respective Counties*, &c. to the Governor with the Message of the House, report, that they delivered the same according to Order, and that the Governor was pleased to say he would give them all the Dispatch he could.

The Governor, by his Secretary, sent down the Supplementtary Bill to the *Act for preventing the Exportation of Bread and Flour not merchantable*, with some proposed Amendments; which were read, and considered.

Ordered, That *Richard Mitchell* and *Joseph Harvey* wait upon the Governor with the Supplementary Bill to the *Act for preventing the Exportation of Bread and Flour not merchantable*, and the Bill for the more effectual supressing profane Cursing and Swearing, and acquaint him, that the House have agreed to all the Amendments proposed by him to the Flour Bill, with a farther Amendment to one of them. And that the House desire his Assent to the Bill for supressing profane Cursing and Swearing, as it now stands, for the Reasons they have subjoined to his proposed Amendment.

The Gentlemen return and report, that they waited upon the Governor, and delivered him the Bills, with the Message of the House, according to Order, and that the Governor was pleased to say he would consider them, and let the House know his Result in the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The Governor, by his Secretary, sent down the Supplementary Bill to the Act, entitled, *An Act for preventing the Exportation of Bread and Flour not merchantable*, and the Supplementary Bill to the Act, entitled, *An Act for erecting Work-houses and Houses of Correction in the respective Counties*, &c. with his Concurrence to them as they are amended. And also the Bill for amending the Laws relating to the Poor, &c. and the Bill for supressing profane Cursing and Swearing; in both which he adheres to the Amendments he had proposed.

The House agreed to the Amendment proposed by the Governor to the Bill for suppressing profane Cursing and Swearing; and

Then adjourned to Ten o'Clock To-morrow Morning.

Ordered, That *Thomas Leech* and *James Morris* wait upon the Governor, and desire that he would appoint some Members of his Council to join a Committee of this House in comparing the engrossed Bills with those that have passed the House with his Concurrence.

Ordered, That the *Indian* Treaty be printed with the Minutes of this House.

Resolved, That the House will this Afternoon enter into the Consideration of the Governor's Support.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Message of the House according to Order, and that the Governor was pleased to say he would do what was desired.

The House resuming the Consideration of the Affair of the Dam over *Neshamineh*,

Ordered, That *Abraham Chapman*, *Mark Watson*, *Mahlon Kirkbride*, *Richard Mitchell* and *Cephas Child* be a Committee to view the said Dam at *Harvey's* Mill, and report their Opinion whether any Thing can be done, by Means whereof the Fish may be suffered to run up the said Creek, without Prejudice to the Mill.

Ordered, That the Owner of the said Mill be served with a Copy of this Order, to the End he may be heard at the next Sitting of the House, if he hath any Thing to object to what the said Committee may agree to propose.

Then the House adjourned to Three o'Clock, P. M.

The House, agreeable to the Order of the Morning, took into Consideration the Governor's Support, and after some Debate,

Resolved, That in order to render the Governor's Support equal to what has been usually given to his Predecessors, an Order be drawn on the Treasurer for the Sum of *One Thousand Pounds*, payable to him.

Resolved, That a like Order be drawn on the Trustees of the Loan Office, for the Sum of *Five Hundred Pounds*, in Part of the current Year's Support.

Ordered, That *Isaac Norris*, *James Morris* and *Thomas Leech* be a Committee to meet the Members of Council, in order to campare the Bills.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Ordered, That *Mark Watson* and *George Ashbridge* wait upon the Governor, and desire to known at what Time he will be pleased to receive the House, in order to the enacting into Laws those Bills that have passed the House with his Concurrence.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say he would be ready to receive the House at Four o'Clock this Afternoon.

Resolved, That the House will this Day adjourn to the Nineteenth of the next Third Month.

Then the House adjourned to Three o'Clock, P. M.

The Gentlemen appointed to examine the engrossed Bills with the Committee of Council, report, that they have done

the same, and find them to agree with the Copies: But that in one of the Bills, there are some Words that are rendered superfluous by one of the Amendments agreed to.

Ordered, That *Thomas Leech* and *James Morris* wait upon the Governor, and desire his Assent to the erasing those Words.

The Orders on the Treasurer and Trustees for the Payment of *Fifteen Hundred Pounds* to the Governor being drawn, were signed by the Speaker, by Order of the House.

The Gentlemen return and report, that the Governor assented to the Erasement of those superfluous Words.

The Speaker, with the whole House, waited upon the Governor; and being returned, the Speaker resumed the Chair, and reported, that the House had waited upon the Governor, with the Bills that had passed the House, with his Concurrence, *viz.*

A Bill for the re-emitting and continuing the Loan of the Bills of Credit of this Province.

A Bill for amending the several Acts for electing Members of Assembly.

A Bill for the more easy and speedy Recovery of small Debts.

A Supplement to an Act, entitled, An Act for erecting Houses of Correction and Work-houses in the respective Counties; and to the Act, entitled, An Act to enable Jeremiah Langhorne, &c. *to build a Court-house in the County of* Bucks

A Bill for erecting a House of Correction and Work-house in the Borough of Bristol, *in the County of* Bucks, *and for raising of Money on the Inhabitants of the said Borough, for the Public Use and Benefit thereof.*

A Supplementary Bill to the Act, entitled, An Act for preventing the Exportation of Bread and Flour not merchantable.

A Bill for the more effectual suppressing profane Cursing and Swearing.

Which Bills the Governor had been pleased to enact into Laws with the usual Form; and that *James Morris* and *Thomas Leech* were appointed to see the Great Seal affixed to the Laws, and deposite them in the Rolls Office. That he had, in the Name of the whole House, presented to the Governor the Orders for his Support, which he had kindly received: That the Governor had also been acquainted with the proposed Time of Adjournment, and did not disapprove of it.

Then the House adjourned to the Nineteenth of the next Third Month.

The House met pursuant to their Adjournment.

Ordered, That *Thomas Leech* and *Oswald Peele* wait upon the Governor, and acquaint him, that the House is met according to their Adjournment, and are ready to receive any Thing he may have to lay before them.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say he would send a Message to the House in the Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, sent down a written Message to the House, with some Papers referred to therein, which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

'You will see by the Letter and other Papers received from Governor Clinton since your last Meeting, that I am again desired to appoint Commissioners in order to concert Measures with those already appointed by him and by Governor Shirley, for the Security and Defence of his Majesty's Colonies during the present War; and, that the positive Refusal of the *Six Nations* to join in the War against the *French* and the *Indians* in Alliance with them, is urged to shew the immediate Necessity of such an Appointment. My Answer to this Letter was in Substance, that I had laid his former Letter on this Subject before you, as I should this at your next Meeting; and I repeated, that you had expressed a Readiness to enter into any reasonable Measures for his Majesty's Service, and the Welfare of the Colonies; but that you thought it would be time enough to appoint Commissioners for this, when you should be made acquainted with the Resolutions of the neighbouring Governments. I observed likewise, that those of *Virginia*, *Maryland*, *New-Jersey* and *Connecticut* were still unknown to us.

'As my Sentiments on this Matter have been fully delivered to you already, I shall only add, that notwithstanding the seeming Resolution of the Council of the *Six Nations* to preserve a Neutrality, it is much to be apprehended that their young Men, who are fond of Military Atchievements, will join the *French Indians* in their barbarous Incursions upon the *British* Colonies; and that the old Men, not having Power to restrain, will be obliged to wink at them, and perhaps in the End break out into an open Revolt. How fatal

such a Procedure will be to this and the British Colonies in general, you will judge; and I trust that you will not be so wanting to yourselves, as not to take the most reasonable Measures to prevent it.

May 20, 1746. GEORGE THOMAS."

Ordered, That the Governor's Message be again read, and considered in the Afternoon.

The Committee appointed at the last Meeting of the House, to view the Dam at *Harvey's* Mill on *Neshamineh* Creek, made their Report in Writing; which was read, and follows in these Words, *viz.*

We, the Committee appointed by Order of Assembly, the 6th of the First Month, 1745-6, to view the Dam over *Neshaminch* Creek, at *Harvey's* Mill, Do report, that we have viewed the said Dam, and the upper Part of the Pond, but cannot find that the Water can be taken out of the Creek without a Dam, the Creek lying a great Way level, and a stony Bank so descending into the Water, that a Race cannot be made without great Cost.

But is is our Opinion, that without any great Charge a Point of a Hill at the South End of the said Dam may be made lower than the Dam for a considerable Space, and the Stones and Gravel taken therefrom may be placed on the lower Side in a gradual Descent, whereby the waste Water that generally runs over the whole Length of the Dam, would be gathered more in a Body in that waste Place, and descend gradually, so that therein the Fish may be able to ascend into the Pond above the Dam; by which the Water in the Dam will not be made much lower, nor will there be any Danger of that waste Place wearing any deeper, it being the point of a stony Hill or Rock, nor will the Mill be injured thereby.

Submitted to the House, by

Abraham Chapman,
Mark Watson,
Mahlon Kirkbride,
Richard Mitchell,
Cephas Child."

Then the House adjourned to Three o'Clock in the Afternoon.

The Governor's Message was again read, and considered.

Ordered, That *Israel Pemberton, Robert Jones, Abraham Chapman, Samuel Levis* and *John Wright* be a Committee to

prepare a Draught of an Answer to the same; and report it to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read, and considered, and ordered to be transcribed, that it may be sent up to the Governor.

And the Message being transcribed, follows in there Words, *viz.*

May it please the Governor,

We look upon it as a Matter of great Importance to this and the neighbouring Governments, that the most effectual Measures be taken, as often as it becomes necessary, to secure the *Six United Nations*, and the *Indians* in Alliance with them, in their Fidelity to the Crown of *Great Britain;* and to cultivate and maintain that Friendship and good Understanding which hath so long subsisted between us and them. To this End, as the Governor well knows, this Province hath at many times been at great expence, as well in Presents made to those Indians, as for carrying on of Treaties with them, sometimes in Conjunction with other Colonies, sometimes separately: At all which Treaties, and particularly those lately held, the *Indians* have constantly declared themselves steady, unalterable, and determined to continue their ancient Amity with this and the neighbouring Governments; and therefore, we hope, that though they may have refused to join in the present War against the *French* and their *Indians*, they will nevertheless remain firm in their Friendship to us, and other the *British* Colonies. However, as the Governor, and the Governor of *New-York*, seem to apprehend the Danger of their Revolt, and the Necessity of appointing of Commissioners from the several Governments, we continue our former Resolutions, that if such Commissioners shall be thought necessary, either for securing the Indians in the *British* Interest, or for any other Purposes which shall appear to us to be for the general Good, we shall chearfully concur in it. But since, as the Governor is pleased to observe in his Message, the Sentiments of most of the other Colonies are unknown to us, and it is uncertain whether they will accede to such Appointments or not: And, as it does not appear to us, that a Meeting of Commissioners for New-York, the Massachusetts and Pennsylvania only, would be of any great Service; therefore, as formerly, we think it

best to postpone our particular Resolutions in the Affair, until the Determination of the other Colonies are made known to us."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Joseph Trotter* and *Edward Warner* wait upon the Governor with the said Message, and acquaint him withal, that the House is inclined to adjourn this Day to the Eighteenth of the next Sixth Month, if he hath no Objection to that Time.

The Gentlemen return and report, that they waited upon the Governor and delivered the Message of the House according to Order; and that the Governor was pleased to say he had no Objection to the Adjournment intended.

Ordered, That the Superintendents of the State-House take Care to prevent, as far as lies in their Power, any Encroachments on the Street opposite thereto.

Ordered, That the Affair of the Dam over *Neshamineh* be referred to the next Sitting of the House; and that the Clerk serve the Owner of the Mill with a copy of this Order, and of the Report of the Committee, that if he hath any Objection to the Method by them proposed, he may attend at that Time and be heard.

Then the House adjourned to the Eighteenth Day of the next Sixth Month.

The Governor having by his Writs directed the Sheriffs to summon the Representatives of their respective Counties to meet him this Day in Assembly; they were summoned and the House is met accordingly.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor, and acquaint him, that the House is met pursuant to his Summons, and ready to receive what he may have to lay before them, and desire a Copy of the Writs by Virtue of which the House was summoned.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Message of the House according to Order, and that the Governor was pleased to say he would send a Message to the House To-morrow Morning.

Then the House adjourned to Ten o'clock To-morrow Morning.

The Governor, by his Secretary sent down the Writs by Virtue of which the House was summoned, with a written Message to the House, and a Letter from the Duke of *Newcastle* referred to therein; which were read, and the Message follows in these Words, *viz.*

Gentlemen,

'My calling you together so suddenly was occasioned by a Letter I have received from his Grace the Duke of *Newcastle*, by the *Hinchinbrook* Sloop of War arrived Express at *Boston*, signifying to me, that his Majesty has been pleased to order a considerable Body of his Troops from *England*, under Convoy of a sufficient Squadron of Men of War, to *Louisburgh*, to be employed in the immediate Reduction of *Canada*, in Concert with Troops to be raised in the Northern Colonies.

'You will observe from his Grace's Letter, which I have ordered to be laid before you, that I am directed to recommen to you the providing a sufficient Quantity of Provisions for the Subsistence of the Troops which shall be raised here.

'As it is recommended to me likewise, to take Care that the Soldiers may be provided with Arms and Cloathing, I must apply to you for an Advance of so much of the Public Money as may be necessary for these Purposes; which Expence Lieutenant General *St. Clair* is authorized and impowered to defray.

'The Shortness of the Time requiring the utmost Dispatch, a Bounty for the Encouragement of able bodied Men to engage in this Service, will very much expedite the Levies.

'Until I see what Number of Men can be raised, it is not possible for me to make an Estimate of the Sum necessary for this Service; but if I may be allowed to form a Judgment from the Importance of the Undertaking to this and the rest of the Northern Colonies, the Number will be very considerable; for Success in it will not only deliver them from their present Apprehensions of a vigilant and enterprizing Enemy, but in all human Probability ensure Quiet and Security to them and their Posterity.—And this shews what Returns of Duty and Gratitude are due to a King who has meditated such Blessings to his *North American* Subjects.

June 10, 1746. GEORGE THOMAS."

The Consideration of the Governor's Message was referred to the Afternoon.

Then the House adjourned to Three o'clock, P. M.

The Governor's Message, with the Duke of *Newcastle's* Letter, were again read, and considered, and the farther Consideration thereof adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor's Message, with the Letter referred to therein, were again read, and considered, and the farther Consideration thereof was referred to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Governor's Message, and the Duke of *Newcastle's* Letter, and after some Debate thereupon,

Ordered, That *Thomas Leech*, *Israel Pemberton*, *John Hall*, *Samuel Levis* and *John Wright* be a Committee to prepare a Draught of an Answer to the Governor's Message, and report the same to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read by Order, and ordered to be transcribed that it may be sent up to the Governor in the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the Governor,

We are deeply sensible of the many and great Blessings we enjoy under the Crown, and present Government; and in Duty and Gratitude hold ourselves obliged to yield chearful Obedience to the King's Commands, so far as our Religious Persuasions permit: Yet, as the Governor well knows, many of us labour under great Difficulties when called upon to be concerned in warlike Enterprizes, such as appear to us inconsistent with the peaceable Principles we profess. The only Expedient hitherto found to remove these Difficulties, hath been, to demonstrate our Loyalty and hearty Affection to the Crown, by giving a Sum of Money to the King's Use. This we are now willing to do; but on Enquiry, are informed, that neither the Treasury or Loan Office are furnished with such a Quantity, beyond what other Exigencies of Government will require, as we are willing to give: Nor do we see any other Way by which such a Sum can be speedily raised, unless it be by striking a further Quantity of Paper Money: And this we hope the Governor will be of Opinion with us may so be done, as that the Sum given may be repaid by the Interest to arise by the Residue placed out in like Manner, as are the Bills of Credit current by the Act some Time since past in

this Province; and which having had the Royal Approbation, will, we presume, be liable to few, if any Exceptions; and the Money thus raised, least inconvenient to the inhabitants of the Province.

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Abraham Chapman* and *Owen Evans* wait upon the Governor, and deliver him the same.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Message of the House according to Order.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

Gentlemen,

'I am very much pleased with your Intention to grant a Sum of Money to his Majesty upon this Important Occasion, and I wish it was as much in my Power, as it is in my Inclination, to agree with you in the Method proposed for raising it; but you must be sensible, from the Royal Instruction communicated to a former Assembly, and, I suppose, entered in the Minutes, that I am forbid under Pain of his Majesty's highest Displeasure, from passing any Act for striking Bills of Credit, without a Clause restraining its Operation until the King's Pleasure shall be known. Besides, an Addition to your Bills of Credit at this Time, I apprehend, would very much lessen the Value of those already current, as Exchange to *London* is already higher than has ever been known in this Province. I grant, were I at Liberty to pass such a Bill as you expect, it might be a present Convenience, but the future Inconveniences would abundantly outweight it. The Legislature of this Province has hitherto maintained its Reputation in this Point, whilst others are sinking under the Load of their numerous Emissions. You may unquestionably procure any Sum upon Loan, which you shall be willing to grant to his Majesty, upon Security to repay it out of the Excise, or the Interest of the Bills of Credit already issued.

'What ever you do, Gentlemen, let it be done with Dispatch, for the Time presses, and your Example will have a very considerable Influence upon the Spirits of the People.

June 13. 1746. GEORGE THOMAS."

The Consideration of the Governor's Message was referred to the Afternoon.

A Petition from sundry Inhabitants of the City of *Philadelphia*, setting forth the great Inconveniences People labour under in their Dealings for want of Small Change; and praying, that there may be an Emission of small Bills to remove those Inconveniences; was presented to the House and read, and ordered to lie on the Table.

Then the House adjourned to Three o'Clock, P. M.

The Governor's Message was again read, and considered, and after some Debate thereupon,

Ordered, That *Thomas Leech*, *Oswald Peele*, *John Hall*, *Thomas Cummings* and *John Wright* be a Committee to prepare a Draught of an Answer thereto, and that they report the same to the House To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House; and it was read, and approved; and ordered to be transcribed: which being done, it was again read, and follows in these Words, *viz.*

May it please the Governor,

It is very agreeable to us to find our Intentions of giving Money to the King, approved of by the Governor: And we are equally pleased with the kind Inclinations he is pleased to express towards raising the Money in the Method we propose: And we are willing to hope that the Governor, on re-considering the Royal Instruction he is pleased to mention, may think himself at Liberty to give his Assent to a Bill for striking a further Sum of Money in Bills of Credit, when any extraordinary Emergency requires it.

It must be confessed, Exchange hath of late risen amongst us, and is at present high; but we think it clear this Rise is not owing to the Quantity of our Paper Money, but the Exigencies of Trade; since for some Time after the Emission by the last *Eighty Thousand Pound* Act, which is the greatest Sum in Bills of Credit that were ever current at one Time amongst us, Exchange was lower than at any Time before. As therefore the Sum proposed to be emitted, is not so great as can either affect the Credit of former Bills, or raise Exchange, will not only be a present Convenience, but of future benefit to the Province, we hope the Governor will think

it consistent with the Trust reposed in him, to assent to the Method proposed; especially as the Sums of Money which have lately been given to the King's Use, and the contingent Charges of Government, have amounted so high, as neither the Money raised by the Excise Act, nor the Interest of Bills of Credit paid into the Loan Office, have been sufficient to defray: nor does any Method appear to us by which the Money now intended to be given to the King's Use can be raised, but what will be more chargeable, as well as inconvenient."

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Thomas Leech*, *Edward Warner*, *John Hall* and *Oswald Peele* wait upon the Governor, and deliver the same.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say he would send an Answer in the Afternoon.

Then the House adjourned to Three O'Clock, P. M.

The Governor, by his Secretary, sent down the following Message to the House in Writing; which was read, *viz.*

GENTLEMEN,

'I really do not want Inclination to oblige you in every thing you can reasonably desire; and therefore the Mortification to me is the greater, to be pressed upon a Point which I am not at Liberty to comply with. The King's Instruction, founded upon the Addresses of the Houses of Lords and Commons, is so positive, that I cannot bring myself to such a Pitch of Boldness as to contravene it. Arguments are not wanting to shew the Mischiefs like to accrue from an Addition to your Paper Currency; but I would give up my own Reason to you upon this pressing Occasion, were that only in the Way. Upon a due Consideration of my being thus circumstanced, I promise myself that you will proceed to some less exceptionable method of raising the Sum designed to be granted for the King's Use.

June 14, 1746. GEORGE THOMAS"

Resolved, That the Sum of *Five Thousand Pounds* in Bills of Credit of this Province be, and hereby is given to the Honourable George Thomas, Esq; Lieutenant Governor of this Province, &c. for the Use of the King.

Resolved, That the said Sum of *Five Thousand Pounds* be paid to the said George Thomas, Esq; by the Trustees of the General Loan Office of this Province, out of the Bills of Credit now remaining in their Hands, by Virtue of former Acts of Assembly, for exchanging torn and ragged Bills.

Resolved, That Bills of Credit of the Value of *Five Thousand Pounds* be forthwith printed, and emitted, under the Care of the Trustees aforesaid, to replace in their Hands instead of the Bills by them so to be paid as aforesaid, to be sunk in yearly Quotas of *Five Hundred Pounds* per Annum, out of the Excise.

Resolved, That the Excise Act now in Force, be continued for the Space of Ten Years.

Resolved, That *Thomas Leech*, *James Morris*, *John Wright* and *James Mitchell* be a Committee to prepare and bring in a Bill for the Purposes aforesaid.

Then the House adjourned to next Fourth Day, at Three o'Clock, P. M.

The House met, pursuant to their Adjournment.

A Bill for granting *Five Thousand Pounds* to the King's Use, &c. was read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for granting *Five Thousand Pounds* to the King's Use, &c. was read a second time, and ordered to be engrossed for a third Reading.

Then the House adjourned to Three o'Clock, P. M.

The Governor, by his Secretary, sent down a written Message to the House, with several Letters and Papers referred to therein, which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

'As the Necessity of securing the *Indians* of the *Six Nations* in their Fidelity to his Majesty, becomes every Day more pressing and apparent; and I am again solicited by the Governors of *New-England* and *New-York*, whose Letters I have ordered to be laid before you, to appoint Commissioners for that Purpose, I must renew my Application to you, to enable me to co-operate with the four Northern Governments at the Treaty to be held with those Nations on the Twentieth of the next Month, at *Albany*. And since this is a

Measure immediately recommended by his Majesty to the Governor of *New-York*, to facilitate the Reduction of *Canada*, it is not to be doubted but the two Southern Governments will readily accede to it.

'Since I heard of the Resolve of your House to Grant *Five Thousand Pounds* for the King's Use, we have been informed from the public News Papers of the Bounty given in some other Colonies to encourage able bodied Men to engage in the Service. As the like Bounty will be expected here, the Sum voted will not be sufficient to raise and victual above three Companies, which will fall very short of the general Expectation, from a Colony of so much Importance. Let me therefore recommend such an Addition as may very well comport with the Circumstances of the Province, and be a Proof of your at least equalling your Neighbours, in Duty to his Majesty, and Zeal for the common Interest.

June 19, 1746. GEORGE THOMAS."

The Consideration of the Governor's Message was adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor's Message, with the Papers referred to therein, were again read, and considered,

Ordered, That *Thomas Leech*, *Oswald Peele*, *John Hall*, *Thomas Cummings* and *John Wright* be a Committee to prepare a Draught of an Answer to the latter Part of the said Message, and report the same to the House.

Then the House adjourned to Three o'Clock, P. M.

The Committee appointed to prepare a Draught of an Answer to Part of the Governor's Message of the Morning, reported the same to the House, and it was read and approved, and ordered to be transcribed; which being done, it was again read, and follows in these Words, *viz.*

May it please the Governor,

The Funds by which this Government is supported, and the contingent Charges defrayed, are the Interest which arises from the Bills of Credit lent out, and the Money paid into the Treasury by the Excise Act; both these the last Year proved deficient; so that the Balance against the Province, exclusive of Out-standings, was upwards of *Two Thousand Pounds*, besides the like Sum due from the Province on account of the State-house: And as the Governor seems

to be under Difficulties with respect to further Emissions of Bills of Credit; and as an additional Tax would, we conceive, be attended with many Inconveniences, we therefore resolved on the Payment of *Five Thousand Pounds* only, to the King's Use: If the Sum to be given, must arise from the present Funds, we do not think it will be fit to add much, if any Thing, to the Sum resolved on. But if the Governor can think himself at Liberty to add a fitting Quantity in Bills of Credit to be emitted amongst us as usual, in like Manner as we are informed and believe our Neighbors must do, we think it will redound greatly to the Advantage of the Province, be attended with no Inconveniences, and will enable us on the present and future Occasions, to give the Proof the Governor is pleased to mention, of having at least equal "Duty to his Majesty," though we may have different Modes of expressing it from our Neighbours. We wait the Governor's Result on this Head, before we proceed on the Bill before us; and, in the mean Time, shall take into Consideration the Residue of his last Message."

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Thomas Leech* and *Edward Warner* carry up the same to the Governor.

Ordered, That *Thomas Leech*, *Oswald Peele*, *John Hall*, *Thomas Cummings* and *John Wright* be a Committee to prepare a Draught of an Answer to the other Part of the Governors Message, and report the same to the House To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Message of the House, being returned, report that they delivered the same according to Order, and that the Governor was pleased to say he would send an Answer in the Morning.

Then the House adjourned to Nine o'Clock To-morrow Morning.

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'If I could think myself at Liberty to consent to an Act for Striking Bills of Credit in the Manner you propose, the Occasion, as well as my Inclination to render a Grant to his Majesty as little burthensome as possible to the People,

would soon determine me in Favour of it, though I cannot but think the present Convenience would be bought too dear; for it is as plain to me, that an Addition to your Currency, to be lent out for a Term of Years upon Interest, would lessen the Value of the Bills already issued, and consequently affect all Contracts now subsisting, as any the most selfevident Proposition. I have not been well informed of what is done, or intended to be done in other Colonies as to this Point; neither would it become me to censure the Conduct of their Governors, should they act a Part different from me. The Circumstances of those Colonies, and their Method of Sinking their Bills of Credit, may be different from this. If I am rightly informed, it has been done at *New-York* by Taxes; and that in *Jersey* so great a Part of their Currency has been sunk, that a new Emission would be no Advance upon what has been usually current there; whereas your's is entire, and to be re-emitted upon Loan for several Years to come. If you will agree to sink any Addition you shall make to the *Five Thousand Pounds* already voted, by a Tax to be levied in any reasonable Time, I will give my Assent to an Act for Striking Bills of Credit for that Sum; and surely, a People who have not paid a Provincial Tax for above Twenty Years past, cannot be uneasy under it, in a Case which so immediately concerns their own Happiness and that of their Posterity. Should you resolve, notwithstanding, to confine yourselves to Five Thousand Pounds, which, as I before told you, will not raise and victual above three Companies, even supposing the Men are to subsist upon the King's Pay during their Stay in this Province, I must be obliged to call upon you for an Advance of so much Money as will be necessary to cloath and arm them, in Case General *St. Clair* should not arrive in Time to furnish me with Bills for that Purpose. My own Stock has been already advanced for the King's Service, in purchasing Cloathing for the Troops in Garrison at Cape Breton, and for raising the Regiment under the Command of Governor Shirley. Considering how the Time presses, abundantly too much of it has been already spent; I beseech you therefore to give all the Dispatch possible to this important Business, that I may be enabled so far to answer the King's Expectation as relates to myself.

June 21, 1746. GEORGE THOMAS."

The engrossed Bill for granting the Sum of *Five Thousand Pounds* to the King's Use, &c. was read a third time;

Resolved, That the Bill do pass.

Ordered, that *James Morris* and *Thomas Cummings* carry up the Bill to the Governor, and desire his Concurrence.

The Gentlemen return and report, that they delivered the Bill to the Governor according to Order, and that he was pleased to say he would give it all the Dispatch he could.

Then the House adjourned to next Second Day at Three o'Clock, P. M.

The House met, pursuant to their Adjournment.

The Governor, by his Secretary, sent down the Bill for granting *Five Thousand Pounds* to the King's Use, &c. with some proposed Amendments, which were read, and considered; and to some of them the House agreed, in others adhered to their Bill.

Ordered, That *James Morris* and *Joseph Trotter* carry up the Bill, with the Amendments, to the Governor, and desire his Concurrence to it as it now stands.

The Gentlemen return and report, that they waited on the Governor, and delivered the Bill with the Amendments, according to Order; and that the Governor, after Consideration, agreed to wave all his proposed Amendments, except the first.

A Supplementary Bill to *the Act for imposing a Duty on Persons convicted of heinous Crimes*, &c. was brought in by a Member with the Leave of the House, and read the first time, and ordered a second Reading.

An Account from *Conrad Weiser*, of his Expences and Services in Public Affairs, being presented to the House and read, was referred to the Committee of Public Accounts, with *Thomas Leech* added to them.

Then the House adjourned to Nine o'Clock To-morrow Morning.

The House taking into Consideration the Governor's first proposed Amendment to the Bill for granting *Five Thousand Pounds* to the King's Use, &c. agreed thereto.

The Supplementary Bill to *the Act for imposing a Duty on Persons convicted of heinous Crimes*, &c. was read a second time, and ordered to be engrossed.

A Petition from *Joseph Pritchard*, of the City of *Philadelphia*, was presented to the House and read, praying, that he may be appointed the Officer for executing the Act imposing a Duty on Persons convicted of heinous Crimes, &c.

Ordered to lie on the Table.

A Petition from *William Hill*, of the City of *Philadelphia*, praying to be appointed the office for executing the said Act, was presented to the House and read.

Ordered to lie on the Table.

The Supplementary Bill to the Act for imposing a Duty &c. was read a third time.

Resolved, That *Joseph Pritchard* be the Officer for executing the Act for imposing a Duty, &c. and his Name was inserted in the Supplementary Bill accordingly.

Resolved, That the Bill do pass.

Ordered, That *Benjamin Field* and *Cephas Child* wait upon the Governor with the said Bill, and desire his Concurrence thereto; And withal acquaint him that the Bill for granting *Five Thousand Pounds* to the King's Use, &c. is engrossed with his first Amendment; and desire him to appoint some Member of his Council to join with a Committee of the House, in comparing it with the Original.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Bill according to Order, and that the Governor was pleased to say he would send the Secretary, at Three in the Afternoon, to join with a Member of the House, in comparing the *Five Thousand Pound Bill;* and hoped that by Five he should be ready to pass it, together with the Bill now laid before him; which he concured with, and returned to the House without any Amendment.

Ordered, That *Thomas Leech* and *James Morris* be a Committee for comparing the engrossed Bill, with that which had passed the House.

The Committee to whom the Account of *Conrad Weiser* was referred, reported, that they had examined the same, and were of Opinion, that the Sum of *Sixty-five Pounds* be allowed him, in Discharge thereof; and the same being agreed to, an Order was drawn on the Treasurer for the payment of that Sum, and signed by the Speaker, by Order of the House.

The Committee appointed to prepare a Draught of an Answer to that Part of the Governor's Message, which related to the *Indians*, reported the same to the House, and it was read, and referred to further Consideration in the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The Answer to the Governor's Message was again read, and after some Amendments, ordered to be transcribed.

Which being done, it was again read, and follows in these Words, *viz.*

May it please the Governor.

Since our last Message we have taken into our Consideration that Part of the Governor's which relates to the *Indians* of the Six Nations; and also the Letters which the Governor was pleased to direct to be laid before us; And by what we gather from thence, the Treaty proposed to be held at Albany, on the Twentieth of next Month, is in Pursuance of some Instructions the Governor of *New-York* hath received from the Crown, which concern himself only, and not the Governors of any other of the Colonies.

It is not improbable, the Purport of these Instructions is to engage the *Indians* of the *Six Nations* in the War against the *French*, and to join in the Expedition against *Canada;* If so, our uniting with the other Governments, in the Congress proposed, will be of little Use, since it cannot be doubted, but that Provision is made to defray the Expence which shall arise thereby; and that these *Indians* will pay greater Regard to the Directions of the Crown, than to the joint Request of all the Colonies. Besides, the Governor must be sensible, that Men of our peaceable Principles, cannot, consistently therewith, join in persuading the *Indians* to engage in the War. If it be thought there be any real Danger of the *Indians* deserting the *British* Interest, and going over to the *French*, and that, to preserve them steady in their Friendship, further Presents are necessary to secure them in their Fidelity to the Crown of *Great-Britain*, and Amity with the Inhabitants of this and the neighbouring Colonies, and the Governor can think his Health and Business will permit his negotiating this Affair in Person, we shall be willing to pay the Expence to arise by it."

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Francis Yarnal* and *George Ashbridge* carry up the same to the Governor, and desire to know when he will be pleased to receive the House, in order to the passing into Laws those Bills that have had his Concurrence.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Message of the House according to Order, and that the Governor was pleased to say he was now ready to receive the House.

Then the Speaker, with the whole House, went to wait on the Governor:

And being returned, the Speaker resumed the Chair, and reported, that the House had waited upon the Governor, and

that he had been pleased to give his Assent to the Bills which had been presened to him for that Purpose, by enacting them into Laws with the usual Form, *viz.*

A Bill *for granting* Five Thousand Pounds *to the King's Use, out of the Bills of Credit now remaining in the Hands of the Trustees of the General Loan Office, for exchanging torn and ragged Bills; and for Striking the like Sum, to replace in their Hands.*

A Supplement *to the Act, entituled, An Act for imposing a Duty on Persons convicted of heinous Crimes, &c.*

That *Thomas Leech* and *James Morris* were appointed to see the Great Seal affixed to them; and that they be deposited in the Rolls Office. That the Governor being also informed of the Inclination of the House to adjourn to the Time of their former Adjournment, was pleased to make no Objection thereto.

Then the House adjourned to the Eighteenth Day of the next Sixth Month.

The House met, pursuant to their Adjournment.

Ordered, That *Joseph Trotter* and *Oswald Peele* wait upon the Governor, and acquaint him, that the House is met, according to their Adjournment, and ready to receive any Thing he may have to lay before them.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say he had nothing to lay before the House at present.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Ordered, That *Israel Pemberton, Joseph Trotter, Mahlon Kirkbride, George Ashbridge* and *Arthur Patterson* be a Committee to settle the Accounts of the Incidental Charges for the current Year.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Several Accounts and Charges against the Public, were considered, and allowed; and

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to audit and settle the Accounts of the Loan Office, and other Public Accounts, made their Re-

port in Writing; which was read, and ordered to lie on the Table, for the Perusal of the Members.

Ordered, That *Thomas Leech*, *Oswald Peele*, *John Watson*, *Thomas Cummings* and *John Wright* be a Committee to prepare a Draught of an Address to the King, on the Defeat of the Rebels in Scotland.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

"The Money granted at your last Meeting for the King's Use, has, and will be applied by me agreeable to his Majesty's Intentions, and the Directions of General *Gooch*, in raising four Companies of Men, for an Expedition against Canada; and in providing Tents, Provisions and other Necessaries for them, as you will see by a Sketch of the Accounts which I have ordered to be laid before you, After the Bounty, Freight of the Provisions, Carriages for the Soldiers Baggage, and the Expence of their Transportation from *Brunswick* to *Albany*, are discharged, the Account shall be closed and submitted, with Vouchers for every Article, to the Examination of your House.

'The Cloathing, Arms and Accoutrements have been procured upon my own Credit, in Expectation of being speedily enabled to pay for them by Remittances from Lieutenant-General *St. Clair;* but as we have yet no Account of his Arrival at Louisburgh, and some of the Persons who supplied me with them, grow importunate for their Money, I am obliged to renew my Application to you for a Loan to his Majesty of so much as will be necessary for this Service.

'But the Difficulty I labour under, with regard to the Subsistence of the Men, is still greater, as they have received no Pay, and are run into an Arrear to the Public Housekeepers for their Quarters from the Time of their Inlistment; and if they have not some Supply soon, it is to be feared they will mutiny or desert; so that the greatest Part of what has been granted by the Assembly, and provided by the King's Orders, will be lost. In some other Provinces the Soldiers have been allowed *Nine-pence* per *Diem*, or their Victuals, besides the pay they are to receive from the King; which has preserved the Governors there, and the Officers of those Troops, from the Embarrasments we find ourselves under here, from the

Delay of General St. Clair's Arrival. The Subsistence of the private Men, exclusive of Officers, amounts to *One Hundred* and *Forty Pounds* per Week, which is too large a Sum to be furnished out of my own private Stock.

'After this plain State of the Case, I hope I need not be at much Pains to convince you of the Necessity of supplying me with the Sums requisite, as well for discharging the Arrears due for the Subsistence of the Troops, as for supporting them until the Fleet shall arrive, or proper Directions be given by the King for paying them: And I promise myself the more ready Compliance for you, as it will not be laying any additional Burden upon the Province, his Majesty having engaged both to defray the Expence of Cloathing and Arms, and to allow the Men Pay from the Time of their Inlistment: And you may assuredly depend, that when Remittances shall be made to me for these Purposes, they shall be punctually paid into such Hands as your House shall appoint to receive them.

'The Exactions of the Public Housekeepers for the Soldiers Quarters, oblige me to recommend the preparing a Bill, either to impower the Justices to billet them at such a Price as they shall think reasonable, or to settle it yourselves in the Bill. *Twelve-pence* per Day, which is now demanded, is more than is allowed by the King for a Soldier's Subsistence, that being but Six-pence Sterling, and is twice as much as is paid in England, though Provisions are said to be much cheaper here. This, I am sensible, is a Matter quite new to you; but the Circumstances of the Times will necessarily require many Things which the wisest Forecast cannot provide for.

August 22, 1746. GEORGE THOMAS."

The Consideration of the Governor's Message was referred to the Afternoon.

Thomas Edmiston's Petition was again read, and considered; and sufficient Reason not appearing to the House for making the Allowance desired, the Petition was dismissed.

The Committee appointed to prepare a Draught of an Address to the King, reported the same to the House; and it was read, and referred to further Consideration in the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The Governor's Message was again read, and considered; and the farther Consideration thereof adjourned to To-morrow Morning.

The Address to the King was again read, and considered; and ordered to be engrossed.

Ordered, That the Affair of the Dam over *Neshamineh* Creek be referred to the Consideration of the next Assembly.

Then the House adjourned to Nine o'Clock To-morrow Morning.

The Governor's Message was again read, and considered,

Ordered, That *Israel Pemberton, Robert Jones, Mark Watson, Thomas Cummings* and *John Wright* be a Committee to prepare a Draught of an Answer to the same, and report it to the House.

The address to the King being engrossed, was read, and signed by the Speaker, by Order of the House.

Ordered, That the Committee of Correspondence transmit it to the Agent, that it may be presented to the King; and that they send Duplicates of it by different Conveyances.

Resolved, That the Sum of *Five Hundred Pounds* be allowed and paid to the Honourable George Thomas, Esq; Governor of this Province, as the Remainder of his Support for the current Year.

It being moved, that the Members who live at a Distance be allowed Mileage for six times coming to the Assembly this Year; the Question was put, and passed in the Negative.

Resolved, That Mileage be allowed for that Meeting of the House which was by the Governor's Call.

Then the House adjourned to Three o'Clock, P. M.

A Petition from *James Read*, Clerk of the Supreme Court, and of the Court of Oyer and Terminer, was presented to the House, and read, setting forth, that, by Direction of the Judges, he had, at the Court of Oyer and Terminer, and General Goal Delivery in *Lancaster* County, the Attorney General not being present, prepared Bills to lay before the Grand Jury, and prosecuted such of them as were returned *Billa vera*, according to the best of his Skill and Ability; and as some of the Persons prosecuted were not able to pay the usual Fees, he prays the House would allow him such Reward for his Service, as to them shall seem meet.

The House taking into Consideration the Payer of the said Petition, and being informed by the Speaker, that the Justices of the Supreme Court were necessitated to make an Appointment of the Petitioner to prosecute the Pleas of the Crown at the Court of Oyer and Terminer mentioned in the said Petition, the Attorney General refusing to attend and do the Service, do therefore allow the Petitioner for his said Service *Ten Pounds*. And are of Opinion, that in Case the Attorney General do for

the future decline the Discharge of his Duty, and thereby render it necessary to make an Appointment of a Person to prosecute the Pleas of the Crown, the Allowance to be made for that Service be deducted out of the Allowance to be made the Attorney General.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read, and approved, and ordered to be transcribed. Which being done, it was again read, and follows in these Words, *viz.*

May it please the Governor,

We entertained no Doubts but that the *Five Thousand Pounds* given for the King's Use the last Session of Assembly, would be applied agreeable to such Instructions as the Governor should receive to that Purpose; and therefore we neither expected nor desired any Account thereof, to be laid before us. Since that Donation, the Public Accounts of the Province have been settled, by which it appears our Treasury is low; that there remains a Sum too small to pay the usual and necessary Charges of Government; and that the Trustees of the General Loan Office are near *Eight Hundred Pounds* in Advance: So that we have no Fund from whence we are enabled to lend to the Crown the Money requested, were we ever so desirous of doing it. Besides, we observe from the State of the Account the Governor was pleased to direct to be laid before us, that Part of the aforesaid *Five Thousand Pounds* as yet remains unexpended; and although this is intended for other Uses, we must submit it to the Governor's Judgment, whether that Money may not be applied to the present Exigencies, and a like Sum replaced out of what General *St. Clair* is to pay on his Arrival.

The Season of the Year is so far advanced, and a new Election for the Choice of Representatives to serve in Assembly so near, that we think it too late to enter into the Consideration of a Bill of such Importance as that for Billeting of Soldiers in any Shape must be.

And the Message being signed by the Speaker, by Order of the House,

Ordered, That Oswald Peele and Edward Warner carry up the same to the Governor, together with the Order of the House for his Support, and acquaint him, that the House is inclined to adjourn this Day to the Thirtieth of September.

The Report of the Committee of Public Accounts, being approved and allowed by the House, was ordered to be inserted in the Minutes, and follows in these Words, *viz.*

WE, *the* COMMITTEE *appointed by Order of Assembly to settle the Accounts of the* General Loan Office *of the Province of* Pennsylvania, REPORT,

That, upon a careful Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Assembly for emitting Paper Bills, and now remaining in the Loan Office undischarged, we find there are principal Sums or Quotas thereon, to become due and payable to the Trustees, the Sum of	£42 519	11	8
That 232 Mortgages have been taken, Part on the sixth Reemission and Part on the second £80,000 Act, amounting, as per List, to	15 676	0	0
That there are Quotas outstanding, and now due on all the said Mortgage Deeds, as by a List exhibited by the Trustees to the Committee, and by them examined, amounting to the Sum of ..	14 315	2	1
That several Sums lent the Public, to be repaid into the Hands of the Trustees, are still outstanding, viz.			
The whole Sum appropriated by the second £30,000 Act, for building the State-House,	£2000	0	0
Part of the Sum lent the city of Philadelphia for building an Alms-House, ...	312	10	0

Part of the Sum lent the Mayor and Commonalty of the City of Philadelphia by the first £30,000 Act, ...			156	0	0		
Part of the Sum put into the Hands of the Provincial Treasurer, ...	200	0	0				
			£2 668	10	0		
Balance in the Hands of the Trustees, ...						£75 179	3 9
						4 820	16 3
Makes the whole Sum current in the Province						£80 000	0 0
That the Trustees, upon Account of Interest, Charge the Province with Balance of last Year's Account, settled with the Committee, August 20, 1745, ...			2400	14	10¼		
And with the Interest outstanding on all the Mortgage Deeds, amounting, as per List, to, ...			6051	18	10¾		
And for sundry Orders for Assembly Mens Wages, ...			243	15	6		
Paid Abraham Chapman in full, for Signing Bills of Credit, ...			33	0	0		
Paid James Morris in full, for Signing Ditto, ...			19	0	0		
Paid Joseph Harvey in full, for Signing Ditto, ...			38	14	0		
Paid Thomas Lloyd in full, for Signing Ditto, ...			15	3	0		
Paid Mordecai Lloyd, as executor to Peter Lloyd, for Signing Ditto, ...			15	3	0		
Paid Lynford Lardner, for the Proprietors, in Pursuance of an Act of Assembly, ...			130	0	0		

Paid Samuel Kirk for Fire-Wood for the Assembly, ...	8	5	0			
Paid for sweeping the State-House Chimneys, ...		2	0			
Paid for a Lock for the inner Door of the Loan Office, and for mending Chairs, ...		16	10			
Paid the Governor, by Order of Assembly, ...	500	0	0			
Paid Reese Meredith, for one Hundred Pounds Sterling Bill of Exchange, sent to Richard Patridge, ...	182	10	0			
Paid Thomas Leech towards finishing the State-House,...	250	0	0			
Paid the Trustees Salary for the current Year.	550	0	0			
For an Allowance by Law for 172 Mortgage Deeds, as by Charles Brockden's List, ...	172	0	0			
For an Allowance by Law for Exchanging and Sinking £1400 burnt this Year, ...	3	17	0			
Paid for the Commissioners at Albany, their Expences and Presents to the Indians, ...	331	10	4			
				£	10,946	10 5
That the Trustees, upon Account of Interest, Credit the Province for Sundries, viz.						
By Interest outstanding at the last Settlement, ...	6286	0	11¼			
By Interest arising on all the Mortgage Deeds this current Year, ...	2561	14	2½			
By broken Interest received this Year.	1339	14	10			
	£ 10,187	9	11¾			
Balance due to the Trustees,	759	0	5¼			
				£	10,946	10 5

WE, *the* COMMITTEE *appointed by Order of Assembly to audit and settle the Public Accounts*, REPORT,

That we have examined the Provincial Treasurer's Account, and find that he Credits the Province,

By the Balance of last Account settled with the Committee, August 20, 1745, ...	£	386	11	5		
By Cash received of Judah Foulke, Collector of Excise for the County and City of Philadelphia, ...		1901	16	4		
By Cash received of William Atkinson, Collector of Excise for the County of Bucks, ..		142	13	0		
By Cash received of Jeremiah Starr, Collector of Excise for the County of Chester,		307	0	0		
By Cash received of Arthur Patterson, Collector of Excise for the County of Lancaster, ...		65	8	6		
By Cash received of Arthur Patterson, Collector of Excise for the County of Lancaster. the further Sum of		54	0	9		
					£	2857 10 0

That he Charges the Province with the following Articles, viz.

Paid Conrad Weiser, per Order, ...	£	40	0	0
Paid Samuel Kirk, per order		8	0	0
Paid Tench Francis, Esq; Attorney General, two Orders of Assembly, ...		100	0	0
Paid Abraham Chapman, per Order, ...		5	15	0
Paid Charles Stow, per Order,		3	2	6
Paid James Alcorn, per Order		5	10	1
Paid Richard Peters, per Order		40	1	6
Paid John Murphy, per Order,		6	0	0

Paid Benjamin Franklin, per Order, ...	57	1	0
Paid William Biddle, per Order, ...	39	13	10½
Paid Thomas Burden, per Order, ...	0	16	0
Paid Nicholas Scull, per Order	9	9	8
Paid James Morris, per Order,	5	15	0
Paid Thomas Graeme, Esq; one of the Supreme Judges, per Order, ...	50	0	0
Paid Edward Warner, per Order, ...	5	5	0
Paid Abraham Mason, per Order	7	4	0
Paid Sarah Montgomery, per Order, ...	8	9	1
Paid Abraham Shelley, per Order, ...	51	15	3
Paid Joseph Arthur, per Order	20	13	9
Paid Joseph Harvey, per Order, ...	5	15	0
Paid William Till, Esq; one of the Judges of the Supreme Court, per Order, ...	50	0	0
Paid the Honourable George Thomas, per Order	1500	0	0
Paid Thomas Ellis, per Order	20	8	9
Paid John Stamper, per Order,	6	11	4
Paid Isaac Norris, per Order,	3	0	0
Paid Wight Massey, per Order, ...	2	16	0
Paid Edward Drury, Express to Maryland, ...	7	0	0
Paid Conrad Weiser, per Order, ...	65	0	0
Paid John Murphy, Express to Annapolis and Amboy, ...	10	0	0
Paid Edward Drury, an Express to Maryland, ...	6	0	0
	£ 2141	2	9½

Commissions on £2141 2 9½. at 5 per Cent.		107	1	1½			
	£	2248	3	11			
Balance in the Treasurer's Hands, due to Province, ...		609	6	1			
					£	2857	10 0
That we have examined the Account of Judah Foulke, Collector of Excise for the City and County of Philadelphia, and find that he Credits the Province, ...							
By the Amount of Excise from the 1st of June, 1745, to the 1st of June, 1746, ...		2224	5	8			
By Cash received of sundry Persons for Fines, ...		52	10	0			
					£	2276	15 8
That he Charges the Province with his Commissions on £2276 15 8, at 5 per Cent, ..	£	113	16	9			
To Cash paid Michael Lightfoot, Provincial Treasurer, at sundry times, including last Year, ...		1927	16	4			
To sundry bad Debts, as per List, ...		9	15	4			
Balance due to the Province,..		225	7	3			
					£	2276	15 8
That we have examined the Account of William Atkinson, Collector of Excise for the County of Bucks, and find that he Credits the Province,							
By the Balance of Account settled with the Committee last Year, ...	£	97	18	7			
By Amount of Excise from the 1st of June, 1745, to the 1st of June, 1746, ...		161	5	3			
					£	259	3 10

That he Charges the Province with the following Articles, viz.							
To Cash paid the Provincial Treasurer since the last Settlement, ...	£	142	13	0			
To Commissions on £142 13 0, at 10 per Cent, ...		14	5	0			
Balance due to the Province, ..		102	5	10			
					£	259	3 10
That we have examined the Account of Jeremiah Starr, Collector of Excise for the County of Chester, and find that he Credits the Province, ...							
By the Balance of Account settled with the Committee last Year, ...		333	8	7½			
By Amount of Entries from August 17th, 1745, to June 1st, 1746, ...		251	15	8			
By Fines from sundry Persons,		7	10	0			
					£	592	14 3½
That he Charges the Province with the following Articles, viz.							
To Cash paid the Provincial Treasurer		307	0	0			
Commissions on £307 0 0. at 10 per Cent, ...		30	14	0			
Balance due to the Province,..		255	0	3½			
					£	592	14 3½
That we have examined the Account of Arthur Patterson, Collector of Excise for the County of Lancaster, and find that he Credits the Province,							
By Amount of Excise from June 1st, 1744, to June 1st, 1745, ...	£	219	0	7			

That he Charges the Province with the following Articles, viz. .....

To Cash paid the Provincial Treasurer last Year, ...	£	74	3	6			
To Cash paid the Provincial Treasurer this Year, ...		119	9	3			
Commissions on £193 12 9, at 10 per Cent, ...		19	7	3			
Balance due to the Province, ..		6	0	7			
					£	219	0 7

And we do further Report, that he hath neglected to produce an Account of the Amount of Excise from the 1st of June, 1745, to the 1st of June, 1746, ...

We do further Report, that we have sunk and destroyed of the old Bills of Credit of the several Emissions, pursuant to the Directions of the £80,000 Act, ... £1189 2 0

And sunk by former Committees, the Sum of 64011 10 6

There remains to be sunk to complete all the Bills of the several Emissions before the £80,000 Act, the Sum of 3689 2 6

£ 68889 15 0

We have also sunk and destoyed of the Bills emitted by Virtue of the £80,000 Act, in Pursuance of an Act of Assembly, the Sum of 210 18 0

And sunk by the Committee last Year 95 5 6

£ 306 3 6

That the Account of Charles Read, former Collector of the Excise for the City and County of Philadelphia, and of the Duty upon Negroes, remains as in the Report of 1734 ..

That the Trustees of the General Loan Office have paid to Andrew Hamilton, by Order of the Governor, Five Thousand Pounds, pursuant to an Act of Assembly, granting that Sum to the King's Use.	5000	0	0

Submitted to the Correction of the House, Aug. 20, 1746, *by*

James Morris, Abraham Chapman,
Edward Warner, Joseph Harvey."

Then the several Orders on the Treasurer and Trustees, for the Salaries of Officers, and Allowances for Public Services, being drawn, were signed by the Speaker, by Order of the House.

The Gentlemen appointed to wait on the Governor with the Message of the House, &c. report, that they delivered the same, according to Order; and that the Governor was pleased to thank the House for the Support allowed him: and to say, that if they adjourned to the Time proposed, he knew not but he might be under a Necessity to calling them again.

Then the House adjourned to the Thirteenth Day of *September* next.

INCIDENTAL CHARGES

To the Honourable George Thomas, Esq; the Remainder of his Support, ...	£ 500	0	0
To *John Kinsey*, Esq; Chief Judge of the Supreme Court, ...	150	0	0
To *Thomas Graeme*, Esq; another of the Judges	50	0	0
To *William Till*, esq; another of the Judges,..	50	0	0
To *Richard Patridge*, Esq; his Salary as Agent, £100 Sterling, ...	175	0	0
To the Members of Assembly, for their Attendance, at 5s. *per Diem*, the Gross Sum, ...	446	10	0
To *John Kinsey*, Speaker of the House, for drawing Bills, and other Services, ...	80	0	0
To *James Morris*, for 30 Days Attendance on the Committee of Accounts, ...	7	10	0
To *Edward Warner*, for 30 Days Ditto, ...	7	10	0
To *Abraham Chapman*, for 26 Days, Ditto, ...	6	10	0
To *Tench Francis*, Attorney General, per Order of the House, ...	50	0	0
To *Richard Peters*, Secretary, his Salary as Clerk of the Council, ...	15	0	0

To Ditto, for other Services, as per Account, allowed by the House,	9	2	6
To Ditto, Cash paid sundry Messengers on divers Occasions, per Account,	32	0	0
To *Benjamin Franklin*, as Clerk of the House, and for Printing Votes, per Account,	111	13	6
To Ditto, for Postage, in two Accounts, to the 25th of 6 *Month*, 1746,	25	3	3
To *Samuel Kirk*, his Salary as Serjeant,	8	0	0
To *Thomas Burden*, for his Attendance on the Assembly and Committee, and Doorkeeper, per Account,	16	6	9
To *Charles Stow*, for summoning 22 Councils, at 2s 6d	2	15	0
To *Jacob Shoemaker*, for Coffins for three *Indians*, and burying them,	2	8	0
To *William Till*, per Account, for Cash he paid for dieting *French* Prisoners,	26	19	6
To *John Sterret*, Fees on Trial of an *Indian* in *Lancaster* County	3	1	0
To *James Read*, for prosecuting Crimnals at the last Court of Oyer and Terminer at Lancaster.	10	0	0
	£ 1785	9	6

AT AN ASSEMBLY *HELD IN* PHILADELPHIA, *THE FOURTEENTH DAY OF* OCTOBER, ANNO DOMINI 1746.

By the Returns of the Sheriffs of the respective Counties, it appears that the following Gentlemen are duly chosen to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania* for the Year ensuing, *viz.*

For *Philadelphia* County	*Bucks* County	*Chester* County
John Kinsey,	*Richard Mitchell,*	*Francis Yarnal,*
Isaac Norris,	*Derick Hogelandt,*	*George Ashridge,*
Joseph Trotter,	*Abraham Chapman,*	*Robert Lewis,*
Thomas Leech,	*Mahlon Kirkbride,*	*Thomas Worth,*
James Morris,	*John Watson,*	*Samuel Lewis,*
Owen Evans	*John Hall,*	*Peter Dicks,*
Edward Warner,	*Cephas Child,*	*Thomas Chandler,*
Hugh Evans,	*Joseph Hampton,*	*John Owen.*

For *Philadelphia* City		*Lancaster* County
Israel Pemberton,	Burgesses	*John Wright,* *Arthur Patterson,*
Oswald Peele,		*James Mitchell,* *James Wright.*

And a Quorum of the Representatives being met, according to the Charter and Laws of this Province, proceeded to the Choice of a Speaker, and *John Kinsey*, Esq; was, by a great Majority of Voices, chosen Speaker, and accordingly placed in the Chair.

Ordered, That *Joseph Trotter*, *Oswald Peele*, *Richard Mitchell*, *Francis Yarnal*, and *James Mitchel* wait upon the Governor, and acquaint him, that, in Pursuance of the Charter of Privileges and Laws of this Providence, a Quorum of the Representatives have met, and chose their Speaker: and desire to know when he will be pleased to receive the House, that they may present him.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Message of the House according to Order, and that the Governor was pleased to say he would receive the House To-morrow at Twelve o'Clock.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

The Speaker, with the whole House, went to wait upon the Governor,

And being returned, the Speaker resumed the Chair, and reported, that the House had waited upon the Governor and presented their Speaker, and that the Governor was pleased to approve their Choice. That he had then made the usual Claim of Privileges, *viz.*

That the House, during their Sitting in Assembly, may enjoy Freedom of Speech in all their Propositions and Debates.

That the better to disharge the Business of the Public, they may at all Times have free Access to the Governor.

That their Persons and Estates may be protected from all Arrests and Molestations during the Time of Privilege accustomed.

That the Governor would be pleased not to hearken to any Report that may be made to him, touching any Matter debated in the House, until such Time as it shall have passed into a Resolve, nor give any Credit to such Report.

That, if the Speaker, in reporting any Thing to the Governor, as the Sense of the House, chance to be mistaken, such Mistake may not be imputed to the House, but that he may have Liberty to resort to them for their true Intent and Meaning, and that the Mistake may be excused.

All which the Speaker had requested as the just Rights and Privileges of the People of *Pennsylvania*, derived and confirmed to them by the Charter and Laws of this Province.

And the Governor was pleased to assure them, that the same should be inviolably observed.

Then the Qualification by Law directed, was taken and subscribed, first by the Speaker in the Chair, and afterwards at the Table by the rest of the Members present, in their Order.

Resolved, That *Benjamin Franklin* be Clerk to this House for the ensuing Year. And he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirk* be Serjeant at Arms to this House for the ensuing Year.

Resolved, That *Thomas Burden* be Doorkeeper to this House for the ensuing Year.

Resolved, That *Richard Patridge*, Esq; be Agent of this Province at the Court of Great Britain, for the ensuing Year.

Ordered, That *Isaac Norris*, *Thomas Leech* and *Israel Pemberton*, be, with the Speaker, a Committee of Correspondence.

Ordered, That *Edward Warner*, *Isaac Norris*, *James Morris*, *Abraham Chapman*, *John Owen* and *James Wright* be a Committee to audit and settle the Accounts of the General Loan Office, and other Public Accounts: and to sink and destroy the old Bills of Credit received in Exchange, pursuant to the last Paper Money Acts; and they have Power to send for Persons, Papers and Records.

Ordered, That *Isaac Norris*, *James Morris*, *John Hall*, *Samuel Levis* and *James Mitchell* be a Committee of Aggrievances for the ensuing Year; and they have Power to send for Persons, Papers and Records.

Ordered, That the Votes of this House be printed, and that *Thomas Leech*, *Isaac Norris* and *Israel Pemberton* be a Committee to revise them before they are printed.

Then the House adjourned to Three o'Clock, P. M.

The Governor sent a written Message to the House, with several Letters referred to therein; which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

'Had General *St. Clair*, with the Troops from *England*, arrived in the Time we had Reason to expect from his Grace the Duke of *Newcastle's* Letter, the Money granted by the last Assembly, and applied by me to the Service directed by his Majesty, would have been more than sufficient for the Number of Men raised here: But as they received no Subsistence from the King, I have been obliged, agreeable to the

Assembly's Answer to my last Message on this Subject, first to furnish each Captain with *One Hundred and Fifty Pounds* towards the Discharge of his Company's Quarters, and afterwards with the like Sum for their Subsistence in their March to Albany; so that I am now £ 413 11 7 in Advance, as will appear by the Accounts, which I have ordered to be laid before you; for every Article of which I am ready to produce Vouchers, to such of the Members of your House as you shall think fit to appoint for the Examination of them.—I need not be at any Pains to convince you, that without this Advance, the Troops could not have marched out of the Province; and consequently, would have been a Burthen upon the Public; or have subsisted by plundering the Inhabitants. You will observe by Governor Gooch's and Governor Shirley's Letters, in Answer to my Applications to them for the Pay of the Soldiers, to discharge their Quarters, that as those raised in the other Colonies were subsisted by them respectively, I can have no Expectation of being reimbursed by the Crown; nor will it be in my Power to make any Stoppages out of their Pay, since it is now altogether improbable that it will ever come into my Hands; so that my only Resource is to you: And I assure myself, that as I have nothing by my Trouble for my Pains, in this Business, and have acted for the general Ease and Advantage of the Province, you will not allow me to be a Sufferer.

'You will observe likewise from a Letter, which I received last Week from Governor *Clinton*, that the Troops from hence had threatened a general Desertion, if they were not supplied with Blankets, as those from the other Governments had been; and that he had already secured one Hundred and Fifty for them upon the Credit of this Government, but could get no more. I wrote to him in Answer, that the Money granted was all expended; and as Blankets were not allowed by the King, as Part of a Soldier's Clothing, I knew not how to act in it; but would recommend it to the Consideration of the Assembly.—The Season sufficiently speaks the Necessity of such a Provision, without any Arguments of mine to persuade you to it

October 15, 1746. GEORGE *THOMAS*."

The farther Consideration of the Governor's Message is referred to To-morrow Morning.

A Petition from sundry Innholders of the Town of *Germantown*, was presented to the House and read, setting forth, that they had dieted Part of Captain *John Diemer's* Company,

raised for the present Expedition against *Canada*, a considerable Time; the Expence of which amounts in the Whole (as appears by the several Accounts settled with the said Captain before he marched) to the Sum of £346 7 3; that they expected the same would have been paid by Mr. *Andrew Hamilton*, out of the Money granted by the Government, but are now informed that Money is all expended; and therefore pray the House would take the Premises into Consideration, and grant such Relief as may seem meet.

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor's Message, with the Letters therein referred to, was again read, and the farther Consideration thereof referred to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Governor's Message; and after some Time spent therein, the farther Consideration thereof was adjourned to To-morrow Morning.

A Petition from *James Claxton*, Innholder of *Frankfort*, setting forth, that there is due to him for the Diet of Soldiers of Captain *Trent's* Company £78 17 0, as by an Order drawn by the said Captain on the Governor (who refused to accept the same) may appear; and praying that the House would take the Premises into Consideration, and give him such Relief as to them shall seem meet; was presented to the House and read.

Ordered to lie on the table.

Then the House adjourned to Ten o'clock To-morrow Morning.

The House, on Consideration of the latter Part of the Governor's Message, agreed, that the Sum of *Four Hundred and Fifty Pounds* be paid to him for the King's Use, and that an Order be drawn on the Treasurer for that Sum. And the Consideration of the other Parts of the said Message is referred to the next Sitting of Assembly.

Then the House adjourned to Three o'Clock, P. M

The Order on the Treasurer for £450 payable to the Governor for the Kings Use, being drawn, was signed by the Speaker, by Order of the House.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor and deliver him the Order, acquainting him, that the House is inclined to adjourn this Day to the

5th of the next Eleventh Month, if he hath no Objection thereto.

The Petition of the Innholders of *Germantown* and of *James Claxton*, Innholder of *Frankfort*, were again read, and the further Consideration thereof adjourned to the next Sitting.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Order on the Treasurer, and acquainted him with the proposed Adjournment, to which he had made no Objection.

Then the House adjourned to the 5th Day of the next 11th Month.

The House met pursuant to their Adjournment.

Ordered, That *Edward Warner* and *Oswald Peele* wait upon the Governor, and acquaint him, that the House is met according to their Adjournment, and ready to receive any Thing he may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order, and that the Governor was pleased to say he would send a Message to the House in the Morning.

Robert Lewis, chosen and returned a Representative for the County of *Chester*, appearing in the House, took and subscribed the Qualification by Law appointed to be taken by the Members of Assembly.

The Governor, by his Secretary, sent down a Message to the House in Writing, which was read and follows in these Words, *viz.*

GENTLEMEN,

'The Troops raised in this Government, and now in Winter Quarters at *Albany*, having been furnished with Provisions for four Months, by the Direction of Brigadier *Gooch*, commencing from the Day of their Arrival there, and that Time being near expired, it has been recommended by Governor *Clinton*, and Application has been made to me by the Captains of the four Companies, that a timely Supply be forthwith sent them. As the Season of the Year rendered this impracticable, I thought I might save you the Trouble of a Meeting for this Purpose only, and left it to the commanding Officer to make a reasonable Provision for them in that Country, until your House, and a Return of favourable Weather, should enable me to supply their Wants.

'I have not received any Orders from his Majesty, relating to the Pay or Subsistence of those Troops, since your last Meeting; nor do I hear that any are come to the other Governors upon the Continent; so the Care of the four *Pennsylvania* Companies must still lie upon you.

January 6th, 1746-7. GEORGE THOMAS."

Ordered, That the Governor's Message be again read in the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The Governor's Message was again read, and the farther Consideration thereof was referred to To-morrow Morning.

A Petition from *James M'Veagh*, *James Claxton* and *Joseph Levis*, Innholders of the Town of Frankfort, praying Payment of sundry Sums of Money due to them for Dieting Soldiers, was presented to the House and read. *Ordered to lie on the Table.*

A Petition from *James Mather*, of the Borough of *Chester*, Innholder, praying Payment of £56 8 0 due to him for Dieting, &c. of 24 Soldiers of Captain Shannon's Company; was presented to the House and read.

Ordered to lie on the Table.

A Petition from *David Cowpland*, of the Borough of *Chester*, Innholder, was presented to the House and read, praying Payment of £46 12 8, due to him for Dieting, &c. Part of Captain *Shannon's* Company.

Ordered to lie on the Table.

A Petition from a great Number of the Inhabitants of *Lancaster* County, dwelling on the West-side of *Susquehanna* River, praying, for the Reasons therein mentioned, that a new County may be erected on that Side of the River; was presented to the House and read.

Ordered to lie on the Table.

Two Petitions from sundry Inhabitants of *Chester* County, praying a Revisal and Amendment of the Act for the Relief of Insolvent Debtors, were presented to the House and read; and ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor's Message was again read and considered, together with his Message of the 15th of *October* last, and the Duke of *Newcastle's* Letter, relating to the Expedition; and after sundry Debates thereupon, the further Consideration thereof was adjourned to the 10th instant.

A Petition from *Alexander Gandouit*, Practitioner in Physick, praying Payment of his Account for Medicines and Attendance on the Cure of sundry sick Soldiers of Captain Shannon's Company, was presented to the House and read.

Ordered to lie on the Table.

The Petitions of the Innholders of *Frankfort* and *Chester*, were again read and considered, and referred to further Consideration.

An Account from *Abraham Shelley*, Keeper of the Workhouse in *Philadelphia*, for Dieting a *Spanish* Friar 63 Days, was laid before the House and read.

Then the House adjourned to Three o'Clock, P. M.

A Petition from *John Salkeld*, Innholder of *Chester*, praying Payment of £30 3 4½, due to him for Billeting Part of Captain *Shannon's* Company, was presented to the House and read; and ordered to lie on the Table.

A Petition from *Aubrey Bevan*, of the Borough of *Chester*, Innholder, praying Payment of the Sum of £37 18 7, due to him for Billeting Part of Captain *Shannon's* Company, was presented to the House and read; and ordered to lie on the Table.

The Petition from *Chester* County, relating to the Insolvent Debtors Act, were again read and considered.

Ordered, That *Thomas Leech*, *Isaac Norris*, *Israel Pemberton*, *Abraham Chapman*, *Richard Mitchell*, *Peter Dicks*, *John Owen* and *Arthur Patterson* be a Committee to revise the Act for the Relief of Insolvent Debtors, and report to the House their Opinion what Amendments may be proper to be made thereto.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition of a Number of the Inhabitants of the County of *Lancaster*, setting forth, that by their distant Situation from the Market, and other Circumstances, no Part of their Produce was heretofore so much to be depended on for raising Money, as Stocks of Cattle; but that of late great Herds of Cattle are drove into this Province from *Virginia* and other Southern Colonies, where, by reason of the more moderate Winters and great Savannahs, they can be cheaper raised than in this Province, and are here sold at a low Rate, to the great Discouragement of the Petitioners; and praying that a Law may be made effectually to stop the bringing in of such Cattle; and also to set Bounds to the Power of the

Rangers in this Province; was presented to the House and read; and ordered to lie on the Table.

Another Petition from *Chester* County to the same Purport, was also presented to the House and read; and ordered to lie on the Table.

Abraham Shelley's Account was again read, and allowed.

The Petition of a Number of Inhabitants on the West-side of Sasquehannah, praying for a new County, was read the second time, and considered; and the House taking Notice, that the Generality of the Names subscribed to the said Petition, are written by the same Penman, do not think proper to proceed upon it; and therefore it was ordered to lie on the Table.

The Petition of *Alexander Gandouit*, Practitioner in Physic, was again read.

Ordered to lie on the Table.

The Petitions of *John Salkeld* and *Aubrey Bevan*, were again read.

Ordered to lie on the Table.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Affair of the Dam over Neshamineh Creek; and after some Time spent therein, the farther Consideration thereof was referred to the next Sitting of Assembly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Petitions from *Chester* and *Lancaster* Counties, relating to Cattle, Rangers &c. were again read;

Resolved, That that part of the Petitions which relates to the Abuses committed by Rangers, be referred to the Committee of Grievances, and they are to report thereupon to the House.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Petitions relating to Cattle, &c. and after some Debate thereon, the same were referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor's Message was again read, and considered; *Ordered*, That *Isaac Norris*, *Israel Pemberton*, *John Watson*, *Samuel Levis* and *James Wright* be a Committee to prepare a Draught of an Answer to the same, and report it to the House.

Then the House adjourned to next Second Day at Three o'Clock, P. M.

The House met, pursuant to their Adjournment; and adjourned to Ten o'Clock To-morrow Morning.

A Petition from *Jacob Heston* of *Bucks* County, was presented to the House and read, setting forth, that he some Time since bought a Plantation, which had been taken in Execution, and was sold by the Sheriff to satisfy a Debt; that he hath since improved the same by considerable Labour and Expence, but can obtain no Title, by reason, it now appears, that the Money due to the Public on a Mortgage of the same Plantation, exceeds the Sum it was sold for, and that therefore the Sale is void; praying that the House would take the Premises into Consideration, and afford him such Relief as to them shall seem meet.

Ordered to lie on the Table.

A Petition from sundry Innholders of the Town of *Derby*, praying Payment of several Sums of Money due to them for the Subsistence of Soldiers belonging to Captain Perry's Company, and left unpaid by the said Captain, was presented to the House and read.

Ordered to lie on the Table.

Then the House adjourned to Three o'Clock, P. M.

The Gentlemen appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read by Order, and approved by the House, and ordered to be transcribed that it may be sent up to the Governor.

And the Message being accordingly transcribed, was read and follows in these Words, *viz.*

May it please the Governor,

As the Time proposed for the Expedition against *Canada* is elapsed, and neither Ships of War nor Troops sent to America, nor any Continuance of the Orders to the several Governors in this Affair, it seems not unreasonable to conjecture the Enterprise is laid aside. And if this be, as probably it is the case, we see not why so great a Number of Men, especially at the Charge of the Colonies, should be kept together, when the Service originally proposed by raising them, is at an End.

But if the Governor of *New-York*, who, as we are informed, commands in Chief the Troops at *Albany*, from any Instructions he hath received, may think he shall be justified in keeping them together, there is little Reason to doubt he

will also be justified in the necessary Means of doing it, *viz.* by continuing to draw Bills for their Support and Pay. So great a Burden, we persuade ourselves, it is not the King's Intentions his Subjects of these Northern Colonies should be loaded with."

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Joseph Trotter* and *Edward Warner* wait upon the Governor, and deliver the same.

The Petition from the Innkeepers of *Derby* was again read; and ordered to lie on the Table.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Message according to Order.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Jacob Hestons Petition was again read; and ordered to lie on the Table.

Resolved, That the Sum of *Five Hundred Pounds* be now paid the Honourable George Thomas, Esq; Governor of this Province, in Part of his Support for the current Year.

And an Order on the Treasurer for that Sum being accordingly drawn, was signed by the Speaker, by Order of the House.

Resolved, That the House will this day adjourn to the Fourth Day of the next Third Month.

Resolved, That the further Consideration of the Governor's Message, be referred to the next Sitting.

Ordered, That *Thomas Leech* and *James Morris* wait upon the Governor, and present him with the Order of the House for his Support, and acquaint him with the proposed Time of Adjournment.

The Gentlemen return and report, that they waited upon the Governor, and delivered him the Order on the Treasurer, for which he was pleased to thank the House; that they also acquainted him with the proposed Time of Adjournment, which he approved of.

Ordered, That the Committee of Public Accounts examine the Accounts of the Agent, and report thereon at next Sitting.

Then the House adjourned to the Fourth Day of the next Third Month.

The House met, pursuant to their adjournment.

Ordered, That *James Morris* and *Joseph Trotter* wait upon the Governor, and acquaint him, that the House is met ac-

cording to their Adjournment, and ready to receive any Thing he may have to lay before them.

The Gentlemen return and report that they waited upon the Governor, and delivered the Message of the House according to Order, and that the Governor was pleased to desire the Attendance of the House To-morrow at Twelve o'Clock.

A Petition from Jonathan Evans, of the City of Philadelphia, Cooper, was presented to the House and read, setting forth, that the Act for preventing unfair Practices in Curing and Packing Beef and Pork intended for Exportation, has been neglected since the Decease of the Officer therein appointed; that the Petitioner has been frequently employed in gauging, curing and re-packing Beef and Port, and is well acquainted with that Business; therefore praying to be appointed the Officer for executing the said Act.

Ordered to lie on the Table.

A Petition from *Daniel Hoodt*, of *Philadelphia*, Cooper, was presented to the House and read, praying to be appointed the Officer for putting in Execution the Act for preventing unfair Practices in the Packing of Beef and Pork for Exportation. *Ordered to lie on the Table.*

Then the House adjourned to Eleven o'Clock To-morrow Morning.

A Petition from sundry Merchants and Traders to Parts beyond the Seas, in the City of *Philadelphia*, on Behalf of themselves and others; setting forth, that the Officer appointed to put in Execution the Act to prevent unfair Practices in Packing of Beef and Port for Exportation, having been some Time deceased, the Regulations intended by the said Act are not duly observed, to the great Injury of Persons trading in these Commodities, and the disreputation of the Province in general, the Value of this Part of our Produce being considerably diminished in the *West Indies*, by the negligent and fraudulent Practices of some concerned in Packing and Curing of Beef more particularly; and praying that the House would revive the said Act, with such Alterations as on Consideration shall be found necessary, and appoint such Persons to put the same in Execution as by their Experience and Care therein may prevent the said fraudulent Practices, and be most likely to recover our Credit in foreign Markets; was presented to the House and read, and ordered to lie on the Table.

A Petition from *Hugh Forbes* and *James Trueman*, of the City of *Philadelphia*, Coopers, was presented to the House and read, praying, that they may be appointed the Officers for putting in Execution the Act for preventing unfair Practices in Packing of Beef and Pork for Exportation.—And the said Petition was accompanied with a Recommendation of the Petitioners as experienced and suitable Persons, signed by a considerable Number of Merchants. *Ordered to lie on the Table.*

A Petition from *Stephen Jenkins*, of the City of *Philadelphia*, Cooper, praying that he may be appointed the Officer for Packing Beef and Pork, &c. was presented to the House and read, and ordered to lie on the Table.

John Wright, returned a Representative for the County of *Lancaster*, appeared in the House, and took and subscribed the Qualification by Law appointed to be taken by the Members of Assembly; and then took his Place in the House.

Then the Speaker, with the whole House, went to wait on the Governor;

And being returned, the Speaker reported, that he had with the whole House attended the Governor, who had been pleased to make a Speech to the House, of which he had obtained a Copy; and the same was read to the House, and is as followeth, *viz.*

Mr. Speaker, and Gentlemen of the Assembly,

'I am sorry for the Occasion of condoling with you on the Death of Mr. John Penn, late one of your Proprietors. As his Humanity, good Nature and Affability, made him much lamented by his private Acquaintance; so his constant Regard for your Liberties and Interests, would render the Loss of him very sensible to the Public, were there not still remaining two worthy Branches of the same Family.

'My own Want of Health, and from thence an Inability to discharge the Trust committed to me, with that Vigour and Punctuality which the Duty of my Station requires, has at length determined me to embark, God willing, for *England;* in Hopes that a Relaxation from Business, or the Change of Climate, may afford me some Relief; And I am therefore glad of this Opportunity of seeing you upon your own Adjournment, as that may be concluded most convenient to your private Affairs. ——If you have any Thing immediately necessary for the public Service to lay before, me you will not fail of receiving a further Proof of my Regard for it: But if the Execution is to be carried into a distant Time,

it will better become me to leave it to my Successor in the Government, as a Means of recommending himself to the Good-will of the People.

'It will be to no Purpose for me to give a Character of my own Administration. My Lot has fallen into difficult and tempestuous Times; and a greater Variety of Business has been transacted during my nine Years Residence here, than in any Time since the Settlement of the Province. —Whether any Degree of Prudence or Skill has appeared in my Conduct, must be left to the Judgment of others. I will only venture to say of myself, that my Intentions have been good, and my Actions incorrupt: And that the Service of his Majesty, and the Honour and Reputation of the Province, have always had the Preference with me to my own Ease or private Interest.

'As I have received many Marks of the Public Esteem, it will be readily believed, that I take my Leave of the Province with Concern. I really do, and very heartily wish it Prosperity. Some Memorials of my past Regard will be left with you; and I shall, during my Life, embrace every Occasion wherein I may be useful, of promoting the general Good of Pennsylvania.

May 5, 1747. GEORGE THOMAS."

The Speaker farther reported, that the Governor had also been pleased to say, if any Thing occurred to him during the Sitting of the House, proper for their Consideration, he would communicate it by Message.

Ordered, That the Governor's Speech be again read in the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The Governor's Speech was again read and considered.

Ordered, That *Thomas Leech*, *Israel Pemberton*, *Abraham Chapman*, *Thomas Chandler* and *John Wright* be a Committee to prepare a Draught of an Answer to the said Speech, and report the same to the House.

A Petition from sundry Inhabitants of the County of *Chester*, praying Amendment or better Explanation of divers Laws of this Province, in several Particulars in the said Petition mentioned; was presented to the House and read. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Petition of the Merchants of *Philadelphia*, relating to the Packing of Beef and Pork for Exportation, was again read.

The Act entituled, *An Act more effectually to prevent unfair Practices in the Packing of Beef and Pork for Exportation*, was also read.

The Petitions from *Chester* and *Lancaster* Counties, relating to Cattle, &c. were again read; and after some Debate, the Question was put. Whether the House will at this Time revise the Act, entituled, *An Act more effectually to prevent unfair Practices in the Packing of Beef and Pork for Exportation? Past in the Negative.*

Resolved, That the House will this Afternoon appoint an Officer to put the said Act in Execution, in the Room of *Nathaniel Griffitts*, deceased.

Then the House adjourned to Four o'Clock, P. M.

A Petition from *Peter Bard*, Merchant of *Philadelphia*, in Behalf of himself and others. Owners of the Privateer Ship *Marlborough*, praying Payment of an Account of Expenses in maintaining and sending away sundry Prisoners, brought in by the said Privateer, amounting to £68 6 0; was presented to the House and read. *Ordered to lie on the Table.*

The several Petitions for the Office of Packer of Beef, Pork, &c. were again read;

Resolved, That *Jonathan Evans* be appointed the Officer for putting in Execution the Act, entituled, *An Act more effectually to prevent unfair Practices in the Packing of Beef and Pork for Exportation.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of an Address in Answer to the Governor's Speech, reported the same to the House, and it was approved of, and ordered to be transcribed.

Then the House adjourned to Three o'Clock, P. M.

The Address to the Governor being transcribed, was again read, and follows in these Words, *viz.*

May it please the Governor,

We, the Representatives of the Freemen of the Province of *Pennsylvania*, return the Governor our hearty Thanks for his last favourable Speech. We sincerely condole with him on the Loss the Province hath sustained, by the Death of one of our Proprietors. The Benevolence, Generosity and public Spirit of our late worthy Proprietary, his Father, are

yet fresh in our View. The Regard paid to his Memory, naturally devolved on his Descendants; who, being educated in like Principles, and under the Influence of so good an Example, gives us Reason to hope for the Continuance of the like Beneficence.

As the Governor has long resided amongst us, is perfectly acquainted with our public Affairs, and so good Harmony subsists between the Branches of the Legislature, his Continuance in the Exercise of the Government, if his Health had permitted, would be most agreeable to us; But since the Governor's Indisposition, and his Hopes of Relief by a Relaxation from public Business, or Change of Climate, has determined him to embark for *England*, we acquiesce under the Necessity.

We have had divers Bills under our Consideration, which, when past into Laws, will, we judge, be for the general Good of the Province, but as the Time for the Governor's Departure draws near to proceed in them at this Juncture, might take up more of his Time than can well be spared, and therefore we have concluded to postpone them until some future Opportunity: such only excepted, if any occur to us, as shall be thought immediately necessary for the public Service: And we return the Governor our grateful Acknowledgments for the Assurance he gives us, that when these are laid before him, we shall not fail of receiving a further Proof of his Regard.

In transacting of public Affairs, it is not to be expected but that there will be a Variety of Sentiments, more especially in such difficult and tempestuous Times (as the Governor is pleased to mention) yet, while both Parts of the Legislature act with Integrity, and consistently with their Judgments, such a Variety must be beneficial to the Public. Nobody, we think, entertains any Doubts of the Governor's Skill or Abilities; and we believe that he hath been regardful both of the King's Service and the Honour and Reputation of the Province.

The Concern the Governor expresses on taking Leave of the Province, his hearty Wishes for its Prosperity, and the Declaration he is pleased to make of embracing every Opportunity wherein he may be useful in promoting the general Good of *Pennsylvania*, as they are Instances of his Regard, are very acceptable to us, and engage our best Wishes for his prosperous Voyage, the Restoration of his Health, and all manner of Happiness."

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor, and desire to know when he will be pleased to receive the House, that they may present their Address.

A Bill for continuing the Act, entituled, *An Act for the better securing the City of* Philadelphia *from the Danger of Gunpowder*, was brought into the House and read the first time, and ordered a second Reading.

The same Bill was again read.

The said Act was also read:

And a former Petition from *Elizabeth Chancellor*, praying a Continuance of the said Act in Favour of the Children of *William Chancellor*, deceased, was again read;

Ordered, That the Bill be engrossed for a third Reading.

An Account from *Marcus Hewlings*, amounting to *Three Pounds Ten Shillings*, expended by him in making two Journeys to *Philadelphia* to interpret for the *Indians;* was laid before the House and read, and referred to further Consideration at the End of the Year.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed Yesternight to wait upon the Governor with the Message of the House, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would receive the House this Day at Twelve o'Clock.

The engrossed Bill for the Continuance of an Act, entituled *An Act for the better securing the City of* Philadelphia *from the Danger of Gunpowder*, was read a third time.

Resolved, That the Bill do pass.

Ordered, That *Joseph Trotter* and *James Morris* carry up the same to the Governor for his Concurrence.

A Petition from *Edmund Woolley* and *John Coats*, both of the City of *Philadelphia*, praying Leave to bring in a Bill for the Sale of a certain Piece of Ground, with the House thereon erected, commonly called the *New-Building*, in order to the Payment of the Debts due therefrom; the same having been originally intended for a Charity School for the Instructing of poor Children gratis in the Knowledge of the Christian Religion, and in useful Literature, with other pious Purposes, none of which have been complied with or carried into Execution by the Trustees for that Purpose appointed, was presented to the House and read; and ordered to lie on the Table.

A Petition from sundry Inhabitants of the County of *Lancaster*, complaining of the Conduct of some Magistrates of the

same County, was presented to the House and read. *Ordered to lie on the Table.*

A Petition from *Robert Stewart*, of the County of *Lancaster*, complaining of the Conduct of a certain Magistrate of the said County towards him the said Stewart, was presented to the House and read. *Ordered to lie on the Table.*

A Petition from a Number of the Inhabitants of *Lancaster* County, living on the West-side of *Susquehanna*, praying, for the Reasons therein mentioned, that a new County may be erected on that Side of the River, was presented to the House and read. *Ordered to lie on the Table.*

The Gentlemen appointed to carry the Powder-house Bill up to the Governor, report, that they delivered the same according or Order, and that the Governor was pleased to say, he would consider it, and give it all the Dispatch he could.

The Governor, by his Secretary, sent down the Powder-house Bill, with a Message, that he was ready to pass the same into a Law.

The Speaker, with the whole House, waited upon the Governor.

And being returned, the Speaker reported, that the House had waited upon the Governor, and presented their Address; to which the Governor had been pleased to answer as follows:

'I thank you, Gentlemen, for this Address. You have said full as many kind Things of me, as I could expect. Notwithstanding your private Sentiments at this Time, more might look like putting yourselves in the Wrong, considering our former Disputes. I can only repeat what I said to you a few Days ago, that I very heartily wish the Prosperity, and shall do every Thing in my Power for the Service of *Pennsylvania*."

The Speaker also reported, that the Governor had been pleased to give his Assent to the Bill, entituled, *A Bill for the Continuance of an Act, entituled, An Act for the better securing the City of* Philadelphia *from the Danger of Gun-Powder*, by enacting the same into a Law, with the usual Form; and that the Act had been delivered to two Members of the House, who are to see the Great Seal affixed to the same, and that it be then deposited in the Rolls Office.

Then the House adjourned to Three o'Clock, P. M.

The Gentlemen appointed to see the Great Seal affixed to the Law, and the same deposited in the Rolls Office, report that they saw it done accordingly.

Resolved, That the Sum of *Five Hundred Pounds* be paid to the Honourable George Thomas, Esq; Governor of this Prov-

ince, for the Remainder of his Support for the current Year, and in full of all his Demands against this Province; and that an Order on the Treasurer issue under the Hand of the Speaker for that Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Agreeable to the Resolve of Yesterday, an Order was drawn on the Treasurer for the Payment of *Five Hundred Pounds* to the Governor, and signed by the Speaker.

Ordered, That *Thomas Leech* and *Isaac Norris* wait upon the Governor, and present him with the same, and acquaint him, that the House inclines to adjourn this Day to the 17th of the next 6th Month, if he hath no Objection to that Time.

The Gentlemen return and report, that they waited upon the Governor, and presented him with the Order on the Treasurer, for which he was pleased to thank the House; and that they had acquainted him with the proposed Time of Adjournment, to which he had no Objection.

The Petition of *Peter Bard* was again read, and Ordered to lie on the Table.

Marcus Hewling's Account was again read and referred to the Committee of Public Accounts.

The Petition of *Edmund Woolley* and *John Coats*, was again read.

Ordered, That the Petitioners serve the Parties complained against with a Copy of the said Petition; and the farther Consideration thereof is referred to the next Sitting.

The Petition of *Robert Stewart* was again read, and ordered to lie on the Table.

The Petition of sundry Inhabitants of *Lancaster* County, against some Persons in the Magistracy there, not named, was again read, and ordered to lie on the Table.

The Petition of the Inhabitants on the West-side of *Susquehannah*, for a new County, was again read, and referred to further Consideration at the next Sitting.

Then the House adjourned to the 17th Day of the next 6th Month.

The House met, pursuant to their Adjournment.

A Petition from *Samuel Hazard* of the City of *Philadelphia*, setting forth, that he is one of the Trustees mentioned in the Petition lately presented to the House by *Edmund Woolley* and *John Coats*, and that he concurs therewith; praying that the House would grant Leave to bring in a Bill for the Sale of the Piece of Ground and Building therein mentioned, that so

Justice may be done to the Creditors thereof; was presented to the House and read, and ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Speaker laid before the House a Letter from the Honourable *Thomas Penn*, Esq; one of the Proprietaries of this Province, together with some Papers therein referred to, which were read.

A Message from the President and Council, by *Robert Strettell and Thomas Hopkinson*, Esquires, Members of Council, *viz.*

Mr. Speaker.

The President and Council desire to speak with the House of Representatives in the Council Chamber.

Then the Gentlemen of the Council withdrew.

The House took the Message into Consideration; and

Resolved, That, whereas the Powers of Government, by an Act of General Assembly of this Province, made in the tenth and eleventh Years of the late Queen *Ann*, are devolved upon the President and a Quorum of the Council of this Province, who are enabled by the said Law to execute all the said Powers, as fully and amply as any Deputy or Lieutenant Governor may, can, or ought to do, Legislation only excepted; and whereas it may be for the public Service of the Government, for this House to meet the said President and Council; therefore the House will wait upon them accordingly.

Whereupon it was

Ordered,

That the Gentlemen of the Council be desired to walk in.

Which having been done, the said Gentlemen were by the Speaker acquainted, that the House would wait upon the President and Council, agreeable to their Request.

The Gentlemen being withdrawn, the Speaker left the Chair, and with the whole House waited upon the President and Council.

And being returned, the Speaker reported, that having waited on the President and Council, the President had made a Speech to the House, a Copy whereof had been given to him, together with several Papers therein referred to, which he delivered in at the Table, where they were read by Order; and the Speech follows in these Words, *viz.*

GENTLEMEN,

'As upon our late Governor's Departure for *England*, for the Recovery of his Health the Administration of the Government (by an Act passed in the 10th Year of Queen Ann,

entituled, *An* Act for the further securing the Administration of the Government) devolved upon the Council; we have, pursuant thereto, taken upon us the Execution of that Trust.

'As this important Charge hath fallen to our Lot in a very tempestuous Season, we are sensible of the Trouble and difficulties that must attend the Execution of it, and heartily with some one Person of known Integrity and Abilities had the Administration: But as that (how desirable soever) cannot be immediately accomplished, we shall endeavour to supply the Want of it, by a just and impartial Discharge of our Duty, according to the best of our Judgments. And when it is considered how closely our several Interests are connected with those of the Public; the Obligations we are under by the Ties of our Families, Friends and Neighbours; we think none can doubt of our Zeal and sincere Intentions for the Welfare of this Province.

We have published our Proclamation for the continuing all Magistrates and Officers in their respective Offices, requiring them to proceed in the Exercise of their respective Trusts, to prevent any Failure or Defect that might otherwise arise from this Change in the Government.

'Just before the Governor's Departure he received from the Council Office a Repeal of an Act of Assembly, passed in the 16th Year of his present Majesty, entituled, *An Act imposing a Duty on* Persons convicted of heinous Crimes, &c. which we have ordered to be laid before you.

'We have received a Letter from Governor *Shirley*, informing us. "That divers Parties of *Indians* were then out, and others daily offering their Service to the English; which is a Matter of great and universal Concern to the Welfare of all his Majesty's Colonies upon this Continent; And that, if this Spirit, which seemed thoroughly raised, and had been to that Time kept up, was cherished, and properly managed and directed, it might, by the Blessing of God, prove of unspeakable Benefit for the Safety of His Majesty's Colonies in North America." We have also received another Letter from him, wherein (after representing the Danger which all these Colonies are in, of being destroyed by the *French*, and the *Indians*, under their Influence, without a firm Union between ourselves for our mutual Defence) he acquaints us, "That he had appointed Commissioners to meet in a Congress, to be held at *New-York*, on the second of *September* next, with such Commissioners as should be appointed by all His Majesty's Governments, from *New-Hampshire* to *Virginia*, inclusive; there to

treat and agree upon Measures for encouraging the *Indians* of the *Six Nations* vigorously to prosecute their Incursions on the Enemy; and pressing us to make Provision for them till the Congress can be held." Thereupon we dispatched *Conrad Weiser*, the Provincial Interpreter, to *Shamokin*, to sound the *Indians*, and get the best Information he could of their Sentiments; which he accordingly did, and sent us a Report of his Proceedings, with his Opinion; which, with Governor *Shirley's* Letters, we have ordered to be laid before you, as well deserving your most serious Consideration, since they contain Matters of very great Importance to the Safety of this as well as the rest of His Majesty's Colonies on the Continent. Governor *Shirley* presses earnestly for an Answer; but as we could not take upon us to enter into Engagements on Behalf of this Government, without your Concurrence and Assurance of enabling us to perform them, we deferred it till this Meeting of your House; and desire your Resolutions, that we may acquaint him therewith; and how far he may depend on the Assistance of this Government, in concerting and executing such Enterprizes and Plans of Operation as the common Interest may require.

'The *Indians* seated on Lake *Erie*, and on the *Inomoy* Creek, that runs into that Lake, being Part of, or in Alliance with, the *Six Nations*, said by the *Indian* Traders to be numerous, and People of Consequence, have sent Messages to this Government, which will be delivered for your Perusal. As they are desirous to be taken into Friendship, and it may be of great Service to encourage such Applications, you will enable us to make them proper Presents.

'You will find, by Mr. *Weiser's* Report, that some Complaints have been made by the Indians, of several Injuries done them by white People, which deserves your particular Notice; and, if true, require that some Reparation should be immediately made.

'Some *Indians* are expected to arrive in *Philadelphia* during your Recess, which will Occasion some Expence in their Maintenance and in Presents: You will therefore give Orders to the Treasurer to pay all such Sums of Money as shall be deemed necessary for those Purposes, as well as to defray the Expences the Provincial Interpreter has been at in his Negotiations with them, and that a suitable Reward be allowed him for his Trouble and Service. He attends in Town, by Order of the Council, to the End you may be more par-

ticularly informed from him of the present Situation of the *Indians* and their Affairs.

'The Council apprehending some Inconveniences from our Enemies coming into the Port of *Philadelphia*, under the Sanction of Flags of Truce, as they thereby have an Opportunity of making themselves better acquainted with the Bay and River of *Delaware*, have published a Proclamation, prohibiting all Pilots from bringing up any such Vessels within the Limits of this Government, without Leave first obtained for that Purpose; and have likewise recommended to the Government of the Lower Counties, the laying their Pilots under proper Restrictions, which was accordingly done. We have also wrote to the Government of *New-Jersey*, to the same Purpose.

'A notorious Insult hath lately been committed in Newcastle County, by an inconsiderable Party of *French* and *Spaniards*, in Conjunction with some Englishmen, Traitors to their King and Country, and who, we are informed, have dwelt in this City, and are too well acquainted with the Condition of it. After having the Boldness to come up the whole Length of the Bay, and Part of the River, even within about 18 Miles of the Town of Newcastle, they there plundrered two Plantations, the Owner of one of them they bound and abused, and dangerously wounded his Wife with a Musket Ball, carrying off their Negroes and Effects, to a considerable Value. On their Return, they met with a valuable Ship in the Bay, bound to this Port from Antigua, which they likewise took and carried off. The Circumstances of this Affair, you will be more particularly informed of, from the Depositions and Papers we have ordered to be laid before you.

'This Instance of the Boldness of our Enemies, encreased by the Success they met with, together with some Expressions which fell from them, importing a thorough Knowledge of our defenceless State, and a Design of shortly paying this City a Visit, must afford but a melancholy Prospect to People in our Circumstances, and demand a very particular Attention. The Length and Difficulty of our Bay and River, seem now no longer to be depended on for our Security, since our Enemies, in all Probability, are but too well acquainted with both. The Terror and Confusion, the Ruin of the vast Numbers of families, the Destruction of Trade, the Bloodshed, Cruelty, and other fatal Consequences, which must unavoidably attend the Plundering or Burning this City, are too obvious to need a Description. Is it not then absolutely

necessary for the Security of this so valuable a Part of his Majesty's Dominions, and the Preservation of the Lives and Properties of the Inhabitants, that some Method should be fallen upon, to prevent the Evils which threaten us, and to which we lie exposed? We assure you, on our Parts, we shall be always ready to concur with you in every Measure that may tend to the Safety, Peace, and Happiness of the People of Pennsylvania. And as a perfect Harmony among the several Parts of the Government, must greatly contribute to these Ends, you may depend on our sincere Endeavours to cultivate and promote it to the utmost of our Power."

Ordered, That the Speech of the President and Council be again read and considered in the Afternoon.

A Petition from sundry Persons, Inhabitants of the City of *Philadelphia*, setting forth, that they contributed largely according to their respective Circumstances, towards the Building a House in the said City, which was intended to be a Charity School, for the Instruction of poor Children gratis in the Knowledge of the Christian Religion, and in useful Literature, and also for a Place of Public Worship; But the Trustees not having executed their Trust, the principal End for which the Petitioners engaged in the Subscription, and paid their Money, is not in the least Degree answered; and therefore praying, that the said Trustees may be compelled to refund and pay the Money advanced by the Petitioners, as well as their other just Demands; or otherwise that Leave may be given to bring in a Bill for the Sale of the said Building, for that Purpose; was presented to the House and read, and ordered to lie on the Table.

Then the House adjourned to Three o'Clock, P. M.

The Speech of the President and Council was again read, with the Papers therein referred to, and the farther Consideration thereof adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Speech of the President and Council was again read, Paragraph by Paragraph, and considered.

Ordered, That *Isaac Norris*, *Israel Pemberton*, *John Watson*, *John Owen* and *John Wright* be a Committee to prepare a Draught of an Answer to the same, and report it to the House.

The House being informed, that several of the Innkeepers who billeted the Soldiers attend the House for an Answer to their respective Petitions.

Resolved That the Petitions of the Innkeepers be taken into Consideration To-morrow Morning.

Then the House adjourned to Three o'Clock, P. M.

Ordered, That *Joseph Trotter*, *Israel Pemberton*, *John Hall*, *Peter Dicks* and *Arthur Patterson* be a Committee to settle the Accounts of the Incidental Charges for the current Year.

Then the House adjourned to Ten o'Clock To-morrow Morning.

An Account from *Conrad Weiser*, of his Expences and Services as Interpreter to this Province in *Indian* Affairs, was laid before the House and read, and referred to the Committee of Incidental Charges.

A Petition from *Henry Keppele* and *David Karcher*, Innkeepers of the City of *Philadelphia*, was presented to the House and read, praying Payment of £46 2 10. due to them for Dieting and Lodging of Soldiers.

Ordered to lie on the Table.

Then the House, according to the Order of the Day, took into Consideration the Petitions of the several Innkeepers who billeted the Soldiers; and after a long Debate,

Resolved, That an Allowance be made to the said Petitioners in Discharge of their Accounts.

Ordered, That their several Accounts be referred to *Isaac Norris*, *Thomas Leech*, *Abraham Chapman*, *Thomas Worth* and *Arthur Patterson* for Examination, who are to report thereon to the House.

Then the House adjourned to Three o'Clock, P. M.

Ordered, That *Edward Warner* be added to the Committee for Incidental Charges.

The Committee appointed to audit and settle the Accounts of the General Loan Office and other Public Accounts, made their Report in Writing, and it was read by Order of the House, and ordered to lie on the Table for the Inspection and Perusal of the Members.

Then the House adjourned to Ten o'Clock To-morrow Morning.

An Account from the Trustees of the *Province Island*, was laid before the House and read;

Ordered, That *Hugh Evans*, *John Hall*, *Peter Dicks* and *John Owen* be a Committee to inspect and examine the said Account, and report thereon to the House.

A Petition from *Charles Brockden* and *James Read*, two of the Trustees of the House commonly called the New Building, was presented to the House and read, setting forth, that they purpose to lay before the House a full and particular Answer to the Petition and Complaint of *John Coats*

and *Edmund Woolley;* but several of their Number, whose Concurrence they would willingly have therein, being at present out of the Province, or at a considerable Distance, and so have had no Opportunity to see the Copy of the said Petition, they request the House would indulge them with farther Time for that Purpose.

Ordered to lie on the Table.

Joseph Trotter is appointed a Signer of the Twenty Shilling Bills, in the Room of *James Mitchell*, deceased.

Then the House adjourned to Three o'Clock, P. M.

The Committee appointed to prepare a Draught of an Answer to the Speech of the President and Council, reported the same to the House, and it was read by Order, and the further Consideration thereof was adjourned to To-morrow Morning.

The Gentlemen appointed to inspect the Accounts of the Trustees of the Province Island, report that they have examined the same, and find good Vouchers for the several Articles; and the said Account was accepted, and approved of.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Answer to the Speech of the President and Council was again read, Paragraph by Paragraph, and considered: and it was ordered to be transcribed that it may be sent up to the Council.

Then the House adjourned to next Second Day at Three o'Clock, P. M.

The House met, and adjourned to Ten o'Clock To-morrow Morning.

The Answer to the Speech of the President and Council being transcribed, was again read, and follows in these Words, *viz.*

May it please the President *and* Council,

As by the Act of Assembly passed in the 10th Year of the Reign of the late Queen *Ann*, to which you are pleased to refer us, the Powers of Legislation necessary in every Government, are taken from us during the Absence of our Governor, we agree with you in Opinion, it were to be wished that "Some one Person of known Integrity and Abilities had the Administration:" But since this, as you well observe, how desirable soever, is not immediately to be expected, the Declarations you are pleased to make of your Zeal and sincere Intentions for the Welfare of the Province,

and of executing the Trust devolved on you, in a just and impartial Manner, are very acceptable to us.

The Proclamation you have been pleased to issue for the Continuance of all Magistrates and Officers within this Government, and your requiring them to proceed in the Exercise of their respective Trusts, as it hath been usual on like Occasions, and may have prevented Doubts that otherwise would have arisen, was, we think, a prudent Step, whether, in Strictness of Law, such a Proclamation was absolutely necessary or not.

By the Order of the King in Council, which was directed to be laid before us, we observe the Act for imposing a Duty on Persons convicted of heinous Crimes, &c. last past, is repealed; and by a Letter from our Honourable Proprietor, *Thomas Penn*, Esq; we are informed, the Report from the Lords for Trade and Plantations to the King in Council, advised the Repeal of all the former Acts past on like Occasions: But this, on the kind Interposition of our Proprietors, is for the present forborn, and the last Act only repealed; by which Means the former Act stands revived. But since, Exceptions have also been taken against this Act, as not consistent with some late Acts of Parliament, it will, we think, be necessary on the Arrival of our Governor, to revise and amend it, so as to make it more conformable to the Sentiments of our Superiors.

The Accounts sent by Governor *Shirley*, on the Report of the Persons he employed with the *Indians* of the *Six United Nations*, we observe, differ much from those given by our *Indian* Interpreter: From which last, as we take it, most authentic Account, it appears, these *Indians* have not hitherto joined in a Declaration of War against the *French*. And, as there is Reason to believe the Expedition against *Canada* is now laid aside, and that the Forces raised to that End will be disbanded, it is not to be expected the *Indians* of the *Six Nations* will involve themselves farther in the War; and therefore had we no other Reasons to induce us, we are of Opinion the Congress proposed in *September* next at *New-York*, can be of little Avail. It is nevertheless our Sentiments, conformable to the Practice of this Government since its first Establishment, that great Care should at all Times be taken to preserve the Friendship and good Correspondence which at present subsists between us and the *Indians*: That the Injuries of which they complain should be inquired into, and speedily redressed; and, as it is highly probable they are at this Time in necessitous Circumstances, we think a Present

ought now to be made them, and shall therefore, before our Rising, make the Provision necessary to this End; as we shall likewise do for the Payment of the Interpreter, and Maintenance of the *Indians* expected here during our Recess. We are further of Opinion, that if, on Inquiry, the Persons against whom the *Indians* complain, appear to be guilty of the Crimes laid to their Charges, that they ought to be prosecuted and punished as the Law in such Cases directs, besides being obliged to make the *Indians* Restitution, if they are able; and if not able, that Compensation should be made them out of the Money we intend to provide for Presents.

The plundering of the two Families in *Newcastle* County, is indeed, an Instance of the Boldness of our Enemies: But we think it will be difficult, if not impossible, to prevent such Accidents. The Length of the Bay and River, and the Scatteringness of the Settlements below, must ever, whilst thus circumstanced, render them liable to Depredations. It is equally difficult to guard against the Wiles of an Enemy. The Ship which you inform us was taken near the Entrance of our Bay, we observe, from the Papers laid before us, was a Vessel of Force, her Captain and Men willing, and probably able, to have defended her, and to have taken their Enemy; but the Captain deceived by the Appearance of a Pilot and Pilot Boat known to him, and which he wanted to conduct him up the Bay, suffered the Boat to come along side of his Vessel, and thereby gave an Opportunity to a Number of Armed Men which lay hid, to jump on Board, and by this Stratagem, to prevail against superior Force

This rendered the Step you have been pleased to take in respect to Pilots, both prudent and necessary: But what further can be done to prevent the like for the future, we do not see. If any Thing be necessary, your Sentiments in this Affair, will, we think, be as properly laid before the Assembly of the Three Lower Counties, in which Government these Accidents happened, as before us.

The Depositions you are pleased to direct to be laid before us, mention the Conjectures of the Persons deposing, that the Privateers intended a Descent somewhere near our Coast; but this, Time hath discovered to be their Mistake. Depositions also mention some of their Threats against this City: But these rather appear to us as so many Bravadoes, than what they either really intended, or had the Power to do. We therefore could have wished you had been pleased to have spared that Part of the Speech, which mentions the defenceless State of the Province, and the Consequences which might

attend the Plundering of the City, the Tendency of which, in our Opinion, is rather to beget or augment Fears, than to prevent those Dangers, which, through the Favor of Profidence, we have hitherto escaped. Besides, as this Speech from the President and Council may be sent beyond Sea, if it should fall into the Hands of our Enemies, it may probably induce them to make an Attempt they otherwise would not have thought of. We may also add, that the Defence of the Province hath been a Matter already much controverted; and you cannot be unsensible of the different Sentiments of our late Governor and former Assemblies, nor of the Difficulties they and we have been, and yet are under, on this Account. Although neither they nor we look upon the Province in so defenceless a Condition as it then was, and now is represented: Nor can we understand on what Grounds you are pleased to alledge, the Length and Difficulty of the Bay are now less Security than heretofore. Nothing in the Papers laid before us, carry any Evidence, that we can discover, in Support of this Allegation: And were we under no Restraint, from the Principles professed by most of us, it would not be an easy Talk to persuade us, that the Measures which have been proposed for the Defence of the Province, either by erecting Fortifications, or building Ships of War, would be of any real Use to the Province; the Charge which must have arisen would have been great, the Benefit uncertain and small. And if you will be pleased coolly to reflect on the several Applications which have been made to former Assemblies, and to us, for granting of Money on this Account, on the several Expeditions against *Carthagena*, *Cape Breton* and *Canada*, you must have Reason to be of our Opinion, that had they been complied with, it would have brought such a Burden upon the Province, as it would scarce have been able to bear. And, were all these Difficulties removed, the Application to us at this Juncture, is not the best timed, when our Treasury is low; and you, as well as we know, that if the Restraint put upon us by the Act of Assembly, to which you are pleased to refer us, be binding, it is not in our Power to join in the making of any one Act whatsoever. We desire you will excuse this Freedom, which the Part of your Speech now under Consideration, rendered necessary, and would not otherwise have been our Choice; for we are clearly of Opinion with you, that a perfect Harmony among the several Parts of Government, must greatly contribute to the Safety, Peace, and Happiness of the People of *Pennsylvania*: And we shall be pleased with every Opportunity, consistently with our Judgments, to shew the President

and Council how heartily we are disposed to promote and cultivate it."

And the Address being signed by the Speaker, by Order of the House,

Ordered, That *John Hall* and *John Owen*, wait upon the President and Council with the same.

The Gentlemen return and report, that they waited upon the President and Council, and delivered the same according to Order.

The Proprietors Letter was again read, and the House taking the same into Consideration, together with the several Papers therein enclosed, are of Opinion, that the Matters thereby referred to, respecting the Danger of having our Laws repealed in other Manner than is provided by the Royal Charter, is of very great Consequence to the Freemen and Inhabitants of this Province, and may greatly affect their Rights and Liberties.

And being moved, it was accordingly.

Resolved, That the Thanks of this House be given to the Proprietors for their seasonable Interposition in this Affair; to be signified to them by the Speaker.

A Petition from *Tench Francis*, Esq; was presented to the House and read, setting forth, that he has executed the office of Attorney General in this Province near Six Years, and according to the best of his Capacity performed his Duty therein, but has received for his Services only £150, which he hopes will not be esteemed a Compensation for his Trouble and Expence in carrying on the public Prosecutions for so long a Time; that from the Increase of Inhabitants and other Causes. Offences have so multiplied, that unusual Care and Diligence have been required in the Petitioner, and a great Part of his Time, unavoidably spent in Attendance on public Trials, beyond what was formerly necessary: and praying that the House would take the Premises into Consideration, and make him such Allowance for his past Services as to them in Justice shall seem meet.

Ordered to lie on the Table.

Then the House adjourned to Three o'Clock, P. M.

The Petitions relating to the *New Building* were referred to the Consideration of some future Assembly.

The Petition of *Peter Bard* was again read, and referred to the Committee of Incidental Charges.

The Petition of *Tench Francis*, Esq; was again read, and referred to further Consideration.

Then the House adjourned to Nine o'Clock To-morrow Morning.

A Petition from *Thomas Graeme* and *William Till*, Esqrs; two of the Judges of the Supreme Court, setting forth, that the Business of the said Court is from Year to Year considerably increased, so as to take up much more of their Time and Attention than heretofore, and requesting therefore an Augmentation of the Salaries usually allowed them; was presented to the House, and read.

Ordered to lie on the Table.

It appearing by the Account of the Trustees of the Province Island, that there is a Balance due from them to the Province, of £99 4 6½; they are ordered to pay the same into the Hands of the Provincial Treasurer, pursuant to the Law.

Resolved, That a Sum not exceeding *Four Hundred Pounds* be allowed as a Present to all the *Indians*.

Ordered, That the Treasurer make reasonable Provision for the Entertainment of the *Delaware Indians* expected here.

Then the House adjourned to Three o'Clock, P. M.

The Committee appointed to examine the Agent's Accounts report, that they have made some Progress therein, but cannot complete the same for Want of some Information of a particular Article, which may be had against another Time.

The Report of the Committee of Public Accounts, being approved and allowed by the House, was ordered to be inserted in the Minutes, and follows in those Words, *viz.*

We, *the* Committee *appointed by Order of Assembly to settle the Accounts of the* General Loan Office *of the Province of* Pennsylvania, Report,

That, upon a careful Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Assembly for emitting Paper Bills, and now remaining in the the Loan Office undischarged, we find there are principal Sums or Quotas thereon, to become due and payable to the Trustees, the Sum of, ... £44,839 2 6

That a List of 251 Mortgage Deeds have been taken, Part on the second £80,000 and Part on the first Re-

emission of ditto, amounting to, ...				15,576	5 0
That there are Quotas outstanding, and now due on all the said Mortgage Deeds, as by a List exhibited by the Trustees to the Committee, and by them examined, amounting to the Sum of, ...				14,556	1 8
That several Sums lent the Public, to be repaid into the Hands of the Trustees, are still outstanding, viz.					
The whole Sum appropriated by the second £30,000 Act, to build a State-House,.	£	2000	0 0		
Part of the Sum lent the City of Philadelphia for building an Almshouse, ...		312	10 0		
Part of the sum lent the Mayor and Commonalty of the City of Philadelphia by the first £30,000 Act, ...		156	0 0		
Part of the Sum put into the Hands of the Provincial Treasurer, ...		200	0 0		
	£	2,668	10 0		
				£ 77,639	19 2
Balance in the Hands of the Trustees, ...				2,360	0 10
Makes the Sum current in the Province, ...				£ 80,000	0 0

That the Trustees, upon Account of Interest, Charge the Province with the Balance of last Year's Account, settled with the Committee, 6th Month 20, 1746, ...	£	759	0	5¼
And with the Interest outstanding on all the Mortgage Deeds, amounting, as per List, to, ...		6,556	7	7
And for sundry Orders for Assembly Mens Wages, ...		477	15	0
Paid Rees Meredith, for a Bill of Exchange for £100 Sterling, for the Agent's Salary,		175	0	0
Paid Benjamin Franklin, for Printing the last Paper Money, ...		181	17	10
Paid James Morris, for Signing Paper Money, ...		33	15	0
Paid John Hall, for Signing Paper Money, ...		33	15	0
Paid Thomas Leech, for the Stamps, ...		10	0	0
Paid Lyn-Ford Lardner, for the Proprietors, in Pursuance of an Act of Assembly,		130	0	0
Paid Thomas Leech towards finishing the State-House,..		100	3	9
Paid James Mitchell's Executors, for his Signing 24 Thousand small Bills, at 15s each Thousand		18	0	0
Paid James Morris in full, for Signing Paper Money,..		17	4	4
Paid Joseph Harvey in full, for Signing Paper Money,..		35	4	4
Paid Lyn-Ford Lardner in Discharge of the Assembly's Order for £500 to the Governor, ...		500	0	0
Paid Richard Peters, in Discharge of an other Order of Assembly for £500 to the Governor, ...		500	0	0

Paid Benjamin Franklin, for the Statutes at Large, send for by Order, and for the Use of the House, ...		57	15	0		
Paid the Trustees Salary for the current Year, ...		550	0	0		
For an Allowance by Law for 179 Mortgage Deeds, as per Charles Brockdens List, ..		179	0	0		
For an Allowance due by Law for Exchanging £1182 5s new Bills for old, at £27 10s for each ten Thousand Pounds, ...		3	5	0		
					£ 10,318	3 3¼
That the Trustees, upon Account of Interest, Credit the Province for Sundries, viz.						
By Interest outstanding at last Settlement, ...	£ 6,051	18	10¾			
By Interest arising on all the Mortgage Deeds this current Year, ...	2,783	5	0			
By broken Interest received this Year, ...	921	12	5			
	£ 9,756	16	3¾			
Balance due to the Trustees	561	6	11½			
					£ 10,318	3 3¼

WE, *the* COMMITTEE *appointed by Order of Assembly to audit and settle the Public Accounts,* REPORT,

That we have examined the Provincial Treasurer's Account, and find that he Credits the Province,				
By the Balance of last Account settled with the Committee, 6th Month 20, 1746,	£ 609	6	1	

By Cash received of Judah Foulke, Corrector of Excise for the County and City of Philadelphia, ...	1,605	0	2			
By Cash received of William Atkinson, Corrector of Excise for the County of Bucks, ...	164	10	0			
By Cash received of Jeremiah Starr, Collector of Excise for the County of Chester,	232	16	6			
By Cash received of Arthur Patterson, Collector of Excise for the County of Lancaster, ...	198	17	4			
				£	2,810	10 1
That he Charges the Province with the following Articles, viz, ...						
Paid Jacob Shoemaker, per Order of Assembly, ...	2	8	0			
Paid James Read, per Order	10	0	0			
Paid Samuel Kirk, per Order	8	0	0			
Paid Charles Stow, per Order	2	15	0			
Paid Edward Drury, Express to Virginia, ...	15	0	0			
Paid Benjamin Franklin, per Order	136	16	9			
Paid James Morris, per Order	7	10	0			
Paid Thomas Bourden, Express to New-York, ...	4	0	0			
Paid John Murphy, Express to Annapolis, ...	6	0	0			
Paid Richard Peters, per Order, ...	56	2	6			
Paid Edward Warner, per Order, ...	7	10	0			
Paid John Kinsey, per Order, dated 23d 6th Month, 1745,	150	0	0			
Paid Thomas Bourden, per Order, ...	16	6	9			

Paid John Kinsey, for Thomas Bourden, per Order, ...	9	14	10
Paid John Kinsey, for Benjamin Franklin, per Order,	12	11	4
Paid Abraham Chapman, per Order, ...	6	10	0
Paid Arthur Patterson, for John Sterrett, per Order,	3	1	0
Paid the Honourable George Thomas, Esq for the King's Use, per Order, ...	450	0	0
Paid Tench Francis, per Order, ...	50	0	0
Paid William Till, per Order	50	0	0
Paid Abraham Shelley, per Order, ...	3	3	0
Paid William Till ,per Order, his Account for Boarding French Prisoners, ...	26	19	6
Paid John Kinsey, per Order, ...	150	0	0
Paid Hugh Meredith, Express to New York, ..	5	0	0
Paid the Honourable George Thomas, Esq; per Order, dated 6th Month, the 23rd 1746, ...	500	0	0
Paid Edward Drury, Express to Virginia, ...	15	0	0
Paid the Honourable George Thomas, Esq; for the King's Use, per Order, ...	211	0	8½
Paid John Kinsey, per Order,	80	0	0
Paid Thomas Graeme, per Order, ...	50	0	0
Paid Abrahain Shelley, for Dieting Spanish Prisoners,	18	18	0
	£ 2,064	7	4½
Commission on £2064 7 4½, at 5 per Cent.	103	4	4

Balance in the Treasurer's Hands, due to the Province, ...	642	18	4½			
				£	2,810	10 0
That we have examined the Account of Judah Foulke, Collector of Excise for the City and County of Philadelphia, and find that he Credits the Province, ...						
By the Balance of Account settled with the Committee last Year, ...	£ 225	7	3			
By Cash received of Margaret Harper, one of the Persons returned a bad Debt, last Year	1	6	8			
By the Amount of Excise from 1st Day 4th Month, 1746, to the 1st Day 4th Month, 1747, ...	1,938	17	4			
By Cash received of sundry Persons for Fines, as per List, ...	32	10	4			
				£	2,198	1 7
That he Charges the Province with his Commissions on £1,971 7 8, at 5 per Cent, ...	98	11	4			
To Cash paid Michael Lightfoot, Provincial Treasurer, at sundry Times, per Receipts, ...	1,605	0	2			
Balance due to the Province, ...	494	10	1			
				£	2,198	1 7
That we have examined the Accounts of William Atkinson, Collector of Excise for						

the County of Bucks, and find that he Credits the Province, ...							
By the Balance of Account settled with the Committee last Year.	£	102	5	10			
By the Amount of Excise from 4th Month 1st, 1746, to 4th Month 1st, 1747, ...		157	4	2			
					£	259	10 0
That he Charges the Province with the following Articles, viz.							
To Cash paid the Provincial Treasurer since the last Settlement, per Receipts..		164	10	0			
Commissions on £164 10 0, at 10 per Cent, ...		16	9	0			
Balance due to the Province, ...		78	11	0			
					£	259	10 0
That we have examined the Account of Jeremiah Starr, Collector of Excise for the County of Chester, and find that he Credits the Province, ...							
By the Balance of Account settled with the Committee last Year, ...		255	0	3½			
By the Amount of Entries from 4th Month 1st, 1746, to 4th Month 1st, 1747,....		273	4	0			
Carried over						528	4 3½
That he Charges the Province with the following Articles, viz.							
To Cash paid Michael Lightfoot, Provincial Treasurer,							

since the last Settlement, per Receipts, ...	232	16	6				
Commissions on £232 16 6, at 10 per Cent, ...	23	5	7½				
Balance due to the Province	272	2	2				
				£	528	4	3½
That we have examined the Accounts, of Arthur Patterson, Collector of Excise for the County of Lancaster, and find that he Credits the Province, ...							
By the Balance of Account settled with the Committee last Year, ...	6	0	7				
By the Amount of Excise from 4th Month 1st, 1745, to 4th Month 1st, 1746, ..	220	2	0				
				£	226	2	7
That he Charges the Province with the following Articles, viz.							
To Cash paid Michael Lightfoot, Provincial Treasurer, since the last Settlement, per Receipts, ...	198	17	4				
To Cash paid for Advertisements at the Commencements of the Excise Act, ..	0	15	0				
Commissions on £198 17 4, at 10 per Cent, ...	19	17	8½				
Balance due to the Province for Excise, from 4th Month 1st, 1745, to 4th Month 1st, 1746, ...	6	12	6½				
				£	226	2	7
And that said Arthur Patterson hath not rendered any							

Account for this present Year's Excise, which he is still indebted for, ...				
We do further Report, that we have sunk and destroyed of the old Bills of Credit of the several Emissions, pursuant to the Direction of the £80,000 Act,	377	15	0	
And sunk by former Committees, the Sum of	65,200	12	6	
There remains to be sunk to complete all the Bills of the several Emmissions before the £80,000 Act, the Sum of	3,311	7	6	
				£ 68,889 15 0
We have also sunk and destroyed of the Bills emitted by Virtue of the £80,000 Act, in Pursuance of an Act of Assembly, the Sum of ..	804	10	0	
And sunk by former Committees, the Sum of, ...	306	3	6	
				£ 1,110 13 6

Submitted to the Correction of the House, 6th Month 20, 1747, *by*

JAMES MORRIS, ABRAHAM CHAPMAN
EDWARD WARNER. JOHN OWEN."

The Committee appointed to examine the Accounts of the Innkeepers, reported on them to the House, who taking the same into Consideration, agreed to make such Allowances as appeared reasonable.

Then the House proceeded to consider the Services of public Officers, &c. and to settle the several Salaries and Allowances, together with the Accounts exhibited by divers Persons for Services done the Public, which had been examined by the Committee of Incidental Charges; and Orders for Payment of the same being signed by the Speaker,

The House adjourned to the Thirtieth of *September* next.

INCIDENTAL CHARGES.

To *John Kinsey*, Esq; Chief Judge of the Supreme Court,	200	0	0
To *Thomas Graeme*, Esq; another of the Judges	50	0	0
To *William Till*, Esq; another of the Judges,	50	0	0
To *Richard Patridge*, Esq; his Salary as Agent, £ 100 Sterling,	185	0	0
To the Members of Assembly, for their Attendance, at 5s. per Diem, the Gross Sum,	200	16	6
To *Tench Francis*, Esq; Attorney General, for his Service the Current Year,	70	0	0
To *James Morris*, for 24 Days Attendance on the Committee of Accounts, and burning Paper Money, at 5s. per Day,	6	0	0
To *Edward Warner*, for 23 Days Ditto,	5	15	0
To *Abraham Chapman*, for 20 Days, Ditto,	5	0	0
To *John Owen*, 20 Days Ditto,	5	0	0
To *Richard Peters*, Secretary, his Salary as Clerk of the Council,	15	0	0
To Ditto, for other Services, &c.	15	1	0
To *Thomas Griffitts*, Esq; Keeper of the Great Seal, his Account,	11	5	0
To *Benjamin Franklin*, Clerk of the House, his Account, and for Postage of Letters,	67	14	4
To the Trustees of the *Province Island*,	45	0	0
To Doctor *Thomas Bond*, his Account, for attending Spaniards,	22	10	0
To *Conrad Weiser*, for his Trouble and Expence on *Indian* Affairs,	43	8	0
To *Samuel Kirk*, his Salary as Serjeant,	8	0	0
To Ditto, Account for a Brush, &c. for Use of the State-house,	0	11	8
To *Charles Stow*, Doorkeeper to the Council,	5	2	0
To *Thomas Burden*, Doorkeeper, for his Attendance, and other Services,	10	16	11
To *Lyn-Ford Lardner*, Keeper of the Great Seal, his Account,	1	4	0
To *Marcus Hewlings*, as Interpreter to the *Indians*	3	10	0
To the Owners of the Ship *Marlborough*, for Dieting and Expences on several *French* Prisoners, allowed in the Whole	25	0	0
	£ 1051	14	5

AT AN ASSEMBLY *HELD IN* PHILADELPHIA, *THE FOURTEENTH DAY OF* OCTOBER, ANNO DOMINI 1747.

By the Returns of the Sheriffs of the respective Counties, it appears that the following Gentlemen are duly chosen to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania* for the Year ensuing, *viz.*

For *Philadelphia* County.	*Bucks* County	*Chester* County
John Kinsey,	*Mahlon Kirkbride,*	*Samuel Levis,*
Thomas Leech,	*Cephas Child,*	*Francis Yarnal,*
Isaac Norris,	*Joseph Hampton,*	*George Ashbridge,*
Edward Warner,	*Derick Hogeland,*	*Thomas Worth,*
Joseph Trotter,	*Richard Walker,*	*Peter Dicks,*
James Morris,	*John Watson,*	*John Owen,*
Owen Evans,	*Abraham Chapman,*	*John Davis,*
Hugh Evans,	*John Hall.*	*Thomas Chandler.*

For *Philadelphia* City.		*Lancaster* County.
Oswald Peele, Israel Pemberton,	Burgesses.	*John Wright,* *James Webb,* *Arthur Patterson,* *Peter Worrall.*

And a Quorum of the Representatives being met, according to the Charter of Privileges and Laws of this Province, proceeded to the Choice of a Speaker, and *John Kinsey*, Esq; was unanimously chosen Speaker of this House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That *Thomas Leech, Oswald Peele, Mahlom Kirkbride, Francis Yarnal* and *Arthur Patterson* wait upon the President and Council, and acquaint them, that a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker; and desire to know when the Board will be pleased to receive the House with their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed Yesternight to wait on the President and Council with the Message of the House, report, that they delivered the same to the President according to Order; who was pleased to answer, that he should presently meet the Council, and would acquaint them therewith.

A Message from the President and Council, by the Secretary, *viz.*

Mr. Speaker,

The President and Council are ready to receive the House immediately, or when they think proper.

The Secretary being withdrawn,

The Speaker first, and then the several Members of the House, took the Qualification, and subscribed the Declaration by Law required to be taken and subscribed by the Members of Assembly.

Resolved, That *Benjamin Franklin* be Clerk to this House for the ensuing Year.

And he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirk* be Sergeant at Arms to this House for the ensuing Year.

Resolved, That *Thomas Burden* be Doorkeeper to this House for the ensuing Year.

Then the Speaker, with the whole House, waited on the President and Council;

And being returned, the Speaker resumed the Chair, and reported, that he had, with the whole House, waited on the President and Council, and acquainted them, that the Representatives of the Freemen of this Province, in Pursuance of the Charter and Laws of the Province, met Yesterday, and at their Meeting had been pleased to make Choice of him for Speaker; that the House had this Day taken the Qualification by Law directed; and that, as by the Departure of our late Governor the Powers of Government are devolved upon the President and Council, if they have any Thing to lay before the House which may contribute to the Peace and Prosperity of the Province, wherein the Concurrence of the House is necessary, they are ready to receive it. To which the President and Council had been pleased to answer, they had something to lay before the House, which they would communicate by Message.

Resolved, The *Richard Patridge* be Agent of this Province at the Court of *Great-Britain* for the ensuing Year.

Ordered, That *Thomas Leech* and *Israel Pemberton* be, with the Speaker, a Committee of Correspondence.

Ordered, That *Edward Warner*, *Oswald Peele*, *James Morris*, *Abraham Chapman*, *John Owen* and *James Webb* be a Committee to audit and settle the Accounts of the General Loan Office, and other Public Accounts, and to sink and destroy the old Bills of Credit, received in Exchange, pursuant to the last Paper Money Acts; and they have Power to send for Persons, Papers and Records.

Ordered, That *Israel Pemberton*, *James Morris*, *Cephas Child*, *Samuel Levis* and *Arthur Patterson* be a Committee of Aggrievances for the ensuing Year, and they have Power to send for Persons, Papers and Records.

Ordered, That the Minutes be printed, and that *Thomas Leech* and *Israel Pemberton* be a Committee to revise them before they are printed.

Then the House adjourned to Three o'Clock, P. M.

John Hall, returned a Representative for the County of *Bucks*, appeared in the House, and took and subscribed the Qualification by Law appointed to be taken by Members of Assembly, and then took his Seat in the House accordingly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The President and Council sent down a written Message to the House, together with several Papers therein referred to, which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

'We shall ever think it a Duty incumbent on us to lay before you such Matters wherein your Concurrence is necessary, as may affect or promote the Peace and Prosperity of the People of this Province: And as, upon your waiting upon us with your Speaker, you expressed your Readiness to receive any Thing of that Kind, we have thought proper to inform you of the following Transactions:

'About the 14th of *July* last a Party of *French* and *Spaniards*, in Conjunction with some Englishmen, some of whom, we are informed, have formerly dwelt in this City, came up in a Pilot Boat within about 18 Miles of the Town of *Newcastle*, plundered two Plantations, bound and abused the Owner of one of them, and wounded his Wife with a Musket Ball, carrying off Negroes and Effects to a considerable Value. On their Return they met with a valuable Ship in the Bay, bound to this Port from *Antigua*, which they likewise took and carried off. Since that, on the 14th of *September* last, we received Information by Express from *Lewes*, that on *Tuesday*, the 8th of September, two Sloops went up the Bay, with a Pilot Boat tending on each; on *Wednesday* Evening they returned, and anchored in *Lewes* Road, which kept the Watch at *Lewes* upon Duty Day and Night; That one of the said Vessels, in Sight of the People at *Lewes*, took a Ship outward bound, with her Pilot Boat, and another Ship next Morning coming in; and was, at the Time of sending away that Express, in Chace of a Third, which, it was feared, would fall into their Hands in an Hour or two. It appeared afterwards, that the Privateer, mentioned in the said Express, belong'd to Cape Francois: That she carried fourteen Carriage Guns, sixteen Swivels, and came out with about one

Hundred and Seventy Men; that she had taken in that Cruize no less than ten Prizes. These Facts, with the Circumstances attending them, will appear more particularly in the Depositions and Papers we have ordered to be laid before you.

From the Success which attends our Enemies by Cruizing in our Bay without Risk or Opposition, it may reasonably be expected that they will continue their Depredations in the Spring, and in all Likelihood block up the Trade of this flourishing Colony; a Loss, which we apprehend will be sensibly felt by all Sorts of People. Trade supports the Merchant, the Planter, the Artificer. Every one in the Country, as well as in the Town, will be alike involved in the Loss of Commerce, as they derive from thence many of the Necessaries and Conveniences of Life.—A Concern then, so interesting to Men of all Degrees amongst us, well deserves your most serious Consideration.

'The Boldness of our Enemies, and the Knowledge they have gained of our Bay and River, gives us great Reason to apprehand an Attack on this City, unless some Provision be speedily made to discourage them from the Attempt, or to disappoint them in it.

'As we can't doubt but you will think the Protection of this City, and the Trade of it, highly worth your Care, you will wisely provide for both. If a Law was wanting for these Purposes, the People of *Pennsylvania* would be unhappy indeed, since there is no Legislative Power at present in the Government. But we apprehend, that as the Public Money is in your Disposal, no further Law is necessary.

'Some *Spanish* Prisoners, now in the Work House, waiting for an Opportunity to be shipped off, are in Want of Cloaths and other Necessaries. As this Government hath always behaved with Humanity and Kindness to Prisoners, you will no doubt provide for the Expences necessary on this Occasion.

October 16, 1747. ANTHONY PALMER, President."

Isaac Norris, returned a Representative for the County of *Philadelphia*, appeared in the House, and took and subscribed the Qualifications by Law appointed to be taken by Members of Assembly, and thereupon took his Seat in the House.

The House being informed, that Application had been made to *Anthony Newhouse*, Paper-maker, who made the Paper for the Currency of this Province, that he would privately make a Parcel of the same Kind of Paper, in order to the Counterfeiting of the said Currency, which he refused, and has hon-

estly given Notice of the Design to a Trustee of the Loan Office;

Resolved, That the Trustees be empowered to reward the Honesty of the said Paper-maker with such Sum as they shall think proper, not exceeding Ten Pounds; and the like to any other Paper-maker, who may make the like Discoveries hereafter.

Then the House adjourned to Three o'Clock, P. M.

The Message from the President and Council, with the Papers therein referred to, were again read, and considered.

Ordered, That *James Morris*, *Israel Pemberton*, *John Hall*, *Samuel Levis* and *Arthur Patterson* be a Committee to prepare a Draught of an Answer to the said Message, and report it to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of an Answer to the Message of the President and Council, reported the same to the House, and it was read, and considered, and ordered to be transcribed, that it may be sent up to the President and Council.

Which being accordingly done, it was again read, and follows in these Words, *viz.*

May it please the President *and* Council,

Whatever Matters you shall be pleased at any Time to lay before us, wherein our Concurrence is necessary, and which we shall conceive to have a Tendency to promote the Peace and Prosperity of the Province, will ever be chearfully received and deliberated on by us.

The Transactions you are pleased to mention in the former Part of your message, we observe, is only an abridged Account of what was laid before the last Assembly. These Accidents, and those which after happened, appear to us to be chiefly owing to like Causes, *viz.* the Misconduct of the Pilots residing thereaway, without whose assistance it is not probable these Attempts would have been made. And sure it can be no great Difficulty for the Governments adjoining to the Bay, to oblige their Pilots to such Regulations as may prevent like Accidents for the future.

As to any Enterprise intended against the City, we hope there is no Danger; and if there be, one of the best Expedients to prevent it, will, we think, be to check every Appearance of illicit Trade, which, under colour of Flags of Truce, or otherwise, may be attempted to be carried on; for

if any Acquaintance be gained of our Bay and River, it is most likely to happen by this Means.

As the Members of the present Assembly are mostly the same with the last, and their Sentiments the same as at that Time, it will be unnecessary, we think, to add to what is before contained in Answer to your present Message, further than to refer to their last Address, in Answer to the Speech delivered to them by the President in Council.

The Circumstances of the *Spanish* Prisoners in this City, which you are pleased to recommend to us, have been under our Consideration. We hope Care will be taken to ship them off with as much Speed as can be; and in the mean Time, we concur in Opinion with the President and Council, that they ought to be treated with Humanity and Kindness; and we shall make the Provision necessary to this End."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Edward Warner* and *James Morris* carry up the same to the President and Council, and acquaint them, that the House intends to adjourn this Day to the 16th of the next Third Month, unless they have any Thing to lay before the House that may require a longer Stay.

Resolved, That the Treasurer be impowered to furnish the *Spanish* Prisoners with such Cloathing and other Necessaries as the Season and their Circumstances require.

The Gentlemen return and report, that they waited on the President at his House, and delivered him the Message according to Order, who was pleased to say, that he expected the Council would have met this Morning at his House, but they had not; that he would lay the Message before them when they did meet; and had himself no Objection to the proposed Time of Adjournment.

Then the House adjourned to the Sixteenth Day of the next Third Month.

The President and Council having by their Writs directed to the Sheriffs of the respective Counties ordered the Assembly to be summoned, to meet this Day on Affairs of Importance, a Quorum met accordingly.

Ordered, That *Joseph Trotter* and *James Morris* wait upon the President and Council, and acquaint them, that the House is met according to their Summons, and ready to receive any Thing they may have to lay before them, and also desire a Sight of the Writs by which they were summoned.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed Yesternight to wait on the President and Council with the Message of the House, report, that they delivered the same to the President according to Order, and that the President was pleased to say, the Writs should be sent down, together with a Message to the House.

The President and Council sent down by the Secretary a Message to the House, together with several Papers referred to therein, and one of the Writs by which the House was summoned; which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

'You are called together at this Time in Pursuance of certain Instructions from his Grace the Duke of *Newcastle*, dated the 30th *May* last, signifying, "That it was his Majesty's Pleasure, that Governor *Shirley* should immediately appoint a Meeting with the Commodore *Knowles*, at such Place as should be agreed upon, and consider with him the present State of *Nova Scotia* and *Louisburgh*, and take the proper Measures for the Defence of those Places. And as it is his Majesty's Intention that the *Americans* should be immediately discharged except only such few as are mentioned: And that when Governor *Shirley* and Mr. *Knowles* shall have met, and fully considered the Service to be undertaken in the Manner directed, and shall have agreed what Number of *Americans* it will be necessary to keep in Pay for that Purpose, it is his Majesty's Pleasure, that he should procure an Account of the whole Expence on Account of the *American* Troops, from the Time of their being levied to the Time of their Discharge, and when the same shall be adjusted and liquidated, to transmit it to his Grace, with the proper Vouchers from the several Governors, that it may be laid before Parliament, to the End that Provision may be made for the Payment; and in the mean Time, in order to prevent any Complaint amongst the Men that have been inlisted (as well those that shall be discharged, as those that shall continue in Service) for Want of immediate Pay, to recommend it to the Governors of the Provinces where these Levies have been made. to procure Credit from the respective Assemblies for that Purpose, which his Majesty hopes may be done without Difficulty.

'In Obedience to his Majesty's Commands we do therefore most earnestly recommend it to you, that you would immediately provide Money or Credit for the Payment of such Sums as shall remain due to the Forces raised in this Govern-

ment at the Time of their Discharge, an Estimate whereof sent us by Governor Clinton, we have ordered to be laid before you, together with the several Letters and Papers we have received from Governor Shirley, Admiral Knowles and Governor Clinton, on this Subject.

'You will perceive, Gentlemen, by the above Instructions, that an Account must be prepared of the whole Expence of the Pennsylvania Companies, from the Time of their being levied to the Time of their Discharge: You will therefore furnish us with the Votes and Minutes of your House, and such other Materials in your Power as shall be necessary, and that with all the Dispatch possible, so that they may be transmitted to his Majesty Time enough to be laid before the Parliament at their next Session.

'As his Majesty hopes what is demanded will be done without Difficulty, you, will, no doubt, consider of the most effectual Ways to answer his Majesty's Expectations.

Nov. 24, 1747 ANTHONY PALMER, President."

'The further Consideration of the Message, and Papers accompanying it, was referred to the Afternoon.

A Petition from *James Whitehead*, Keeper of the Workhouse, praying Payment of an Account for Dieting *Spanish* Prisoners, was presented to the House and read, and ordered to lie on the Table.

Then the House adjourned to Three o'Clock, P. M.

The Message from the President and Council, with the Papers therein referred to, were again read, and the further Consideration thereof adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Message from the President and Council was again read, and considered;

Ordered, That *Thomas Leech* and *Isaac Norris* search the Minutes, and report to the House in the Afternoon, what Sums of Money have already been given by the House for the King's Use since the Expedition to *Canada* was first set on foot; and the farther Consideration of the Message is adjourned to the Afternoon.

A Petition from a great Number of the Inhabitants of the City of *Philadelphia*, setting forth the great Danger they apprehend the said City to be in, as well as the Trade of the whole Province, from the Depredations of the Enemy; and praying that the House, who have the sole Disposal of the Public Money, would take the most effectual Measures for

the Protection and Preservation of both; was presented to the House and read, and ordered to lie on the table.

The Petition and Account of *James Whitehead*, was again read and considered;

Ordered, That *James Morris*, *Edward Warner* and *Joseph Trotter* examine the said Account, and report thereon to the House.

A Petition from *James Mather*, Innkeeper of *Chester*, praying an Allowance for his Expence and Trouble in supporting and nursing sundry sick Soldiers, was presented to the House and read, and ordered to lie on the Table.

A Petition from *David Cowpland*, Innkeeper of *Chester*, praying and Allowance for his Expence and trouble in supporting and nursing sundry sick Soldiers, was presented to the House and read, and ordered to lie on the Table.

Then the House adjourned to Three o'Clock, P. M.

The Committee appointed to enquire what Sums have been already given by the Assembly of this Province to the King's Use, since the Expedition was set on foot against *Canada*, made the following Report, *viz.*

An Account of Money given to the King's Use by the Assembly, viz.

1746. *4th Month.* Given by an Act of Assembly for the King's Use, ...	£ 5000	0	0
1746. *8th Month. 17.* Given to the King's Use by Order of Assembly, ...	450	0	0
1747. Paid by the Treasurer to Governor *George Thomas*, as per Account settled with him 1747, ...	211	0	8½
1747. Paid by Order of the House to several Innholders for dieting the Soldiers, &c., ...	552	16	11
	£ 6213	17	7½

There are several other Demands of the Innholders, on Account of dieting and taking Care of the sick Men, not yet allowed by the House.

The further Consideration of the Message of the President and Council, was adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House resumed the Consideration of the Message from the President and Council, and

Ordered, That *Isaac Norris*, *Thomas Leech*, *Oswald Peele*, *John Hall*, *John Owen* and *Peter Worrall* be a Committee to

prepare a Draught of an Answer to the same, and report it to the House.

The President and Council sent down another written Message to the House, with several Papers referred to therein, which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

"You will see by the Papers that are ordered to be laid before you, that we have had a Treaty with some *Indian* Warriors from *Ohio*, who came to Town for that Purpose. By them we are given to understand, that the Tribe of *Indians*, being a Mixture of the *Six Nations*, to which these Warriors belong, have actually resolved to adhere to their Brethern the English against the *French*, and propose to kindle a great Fire at *Ohio* in the Spring, to which they have invited the *Indians* living round about them, to join with them in these Resolutions. This is an extraordinary Event in our Favour, which ought to be improved to the greatest Advantage. From the Situation of these People, being mostly within the limits of this Government, they are capable of doing, or preventing the greatest Mischiefs; and from what passed at a Conversation between them and the Interpreter, there is Reason to apprehend, that without Encouragement from this Province, they may be seduced by the *French* to go over to their Side, whereby the Lives of the Back Inhabitants will be in the utmost Danger. These Considerations have induced us to give them the Goods mentioned in the Account delivered you herewith, and to promise to send the Interpreter with a larger Present to their Fire at *Ohio* in the Spring: You will therefore take Care at this Session to come to such Resolves as will enable us to make good our Engagements.

'The last Post brought the President a Letter from Governor *Shirley*, dated at *Boston* the 9th of November instant, purporting, "That at a Meeting of Commissioners from the Government of the *Massachusetts Bay*, *New-York* and *Connecticut*, at the City of *New-York*, in *September* last, it was agreed, in Behalf of the said Governments, that an Expedition should be undertaken against the *French* Fort at *Crown-Point*: That certain Measures should be used to retain and confirm the *Indians* of the *Six Nations*, and others in Alliance with them, in the Interests of the *English* Governments; and other Matters were agreed upon for the Defence of the *English* Colonies against the *French* and *Indian* Enemy: And also, that there should be another Meeting of the Commissioners about the middle of *December* next; and that in the mean Time all

the other Governments, from *New-Hampshire* to *Virginia*, should be invited, and earnestly urged to join in this public and important Undertaking, wherein His Majesty's Honour, and the Interest of all his Subjects in *North America*, are so deeply concerned. The Agreement of the Commissioners was laid before the General Assembly of that Province in their late Session; but finding so thin an Appearance of the Representatives, and most of the principal Members absent, Mr. *Shirley* judged it best to adjourn the Assembly to *Tuesday*, the 17th Instant. This obliged him to entreat the Government of *Pennsylvania* to order the public Business, so as that the Assembly may be able to meet about the Time when we may expect to know their Resolutions upon this Affair.

'As the Assembly of the Province of the *Massachusetts Bay* is supposed to be now fitting, and we may every Day expect to receive their Resolves, in order to be laid before you for your Sentiments and Concurrence; and as we cannot think but you will heartily join in promoting every Scheme that shall appear to contribute to retain and increase the Friendship of the Indians, you will readily comply with Mr. Shirley's Request.

Nov. 25, 1747. ANTHONY PALMER, President."

Ordered, That the further Consideration of the Message be referred to the Afternoon.

The Committee appointed to examine the Account of *James Whitehead*, report, that they find a Balance due to the said *Whitehead* of £46 11 0.

Ordered, That an Order on the Treasurer issue under the Hand of the Speaker, for the Payment of the same.

The Petition from a Number of the Inhabitants of the City of *Philadelphia* was again read, and the further Consideration thereof adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of an Answer to the first Message from the President and Council, reported the same to the House, and it was read by Order and considered, and ordered to be transcribed that it may be sent up to the President and Council.

An Order being drawn on the Treasurer for the Payment of *James Whitehead's* Account, was signed by the Speaker, by Order of the House.

The President and Council sent down a Letter just received from *Conrad Weiser*, Interpreter to this Province, relating to *Indian* Affairs, which was read.

Then the House adjourned to Three o'Clock, P. M.

The Message to the President and Council being transcribed, was read, and follows in these Words, *viz*

May it please the President *and* Council,

The Duke of *Newcastle*, in his Letter to Governor *Shirley*, dated the 30th of *May* last, to which you are pleased to refer us, directs Governor *Shirley* and Commodore *Knowles*, "To procure an Account of the whole Expence incurred on Account of the American Troops, from the Time of their being levied to the Time of their Discharge; and when the same should be fully adjusted and liquidated, to transmit it to him, with the proper Vouchers from the several Governors, that it might be laid before Parliament, to the End that Provision might be made for the Payment." And after signifying "His Majesty's Intention, that the *Americans* should be immediately discharged, except the few there mentioned," directs "that the Manner of discharging them, and the Satisfaction for their Time, should be left to Governor *Shirley* and Commodore *Knowles;* who, in Pursuance of these Instructions, in their Letters to you, have requested you would furnish them with the particular Accounts and Proofs they judge necessary for that Purpose:" And though they are also directed "to recommend it to the Governors of the Provinces where those Levies have been made, to procure Credit from the respective Assemblies, in order to prevent any Complaint amongst the Men that have been enlisted, for Want of immediate Pay," yet we apprehend, till the Sums due to the several Companies are regularly ascertained, it is not in our Power to judge what Credit or Money may be expected to be borrowed from this Province for the King's Use, on Account of the Levies raised here. But considering the great Desertions in those Companies, and the Payments made them by Governor *Clinton*, who, we presume, had the Command in Chief of those Troops, we hope there can be no extraordinary Occasion of Complaint amongst the Men for Want of their remaining Pay till Provision shall be made for them by Parliament, or at least till their Accounts can be fully adjusted and liquidated in the Manner directed in the Duke of *Newcastle's* Letter.

The Accounts necessary for Settling the Expence of the *Pennsylvania* Companies, to the Time of their leaving this Province, we suppose are mostly in your Hands; but the several Sums of Money granted upon this Occasion, and which by our Votes and Minutes appear to have been paid for the King's Use, with such other Materials as are in our Power, we have ordered to be laid before you."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Thomas Leech* and *Edward Warner* carry the same up to the President and Council, together with the Account of the Sums that have been paid by this Province for the King's Use.

The Petition from a Number of Inhabitants of the City of *Philadelphia* was again read, and after some Debate, the further Consideration thereof was adjourned to To-morrow Morning.

Then the House adjourned to Nine o'Clock To-morrow Morning.

The Gentlemen appointed Yesterday to wait on the President and Council with the Message of the House report, that the Council not being sitting, nor the President in Town, they had delivered it to the Secretary.

The Petition from a Number of the Inhabitants of the City of *Philadelphia* was again read and considered, and referred to further Consideration.

The second Message from the President and Council was again read and considered and referred to further Consideration.

Resolved, That the House will this Day adjourn to the first Second-day in the Eleventh Month next.

Ordered, That *James Morris* and *Joseph Trotter* wait upon the President and Council, and acquaint them, that the House intends to adjourn this Day to the first Second-day in the next Eleventh Month, if they have no Objection to that Time.

The Gentlemen return and report, that they waited on the President and Council, and delivered the Message of the House according to Order, and that no Objection was made to the proposed Adjournment.

An Account from *Joseph Turner*, of Provisions and Shoes furnished the Prisoners lately sent away, was laid before the House and read.

Then the House adjourned to the first Second-day in the next Eleventh Month.

The House met, pusuant to their Adjournment.

Ordered, That *Edward Warner* and *Joseph Trotter* wait upon the President and Council, and acquaint them, that the House is met pursuant to their Adjournment, and ready to receive any Thing they may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the President and Council with the Message of the House report, that they delivered the same according to Order, to the President, who was pleased to say he would call a Council this Morning.

The Message from the President and Council of the 24th of *November* past, was read, together with the Message of the House in Answer thereto.

The Petition from a Number of the Inhabitants of the City of *Philadelphia* was again read.

Then the House adjourned to Three o'Clock, P. M.

The President and Council, sent down, by the Secretary, a written Message to the House, with sundry Letters and Papers therein referred to, which were read, and the Message follows in these Words, viz.

GENTLEMEN,

'Since our Message to you of the 24th of *November* last, and your Answer thereto, dated the 27th of the same Month, we have received from Governor *Shirley* a Letter, informing us, that the Pay of the Companies of *New-York*, *Pennsylvania*, *Maryland* and *Virginia*, had been fixed at the Rate of *Six-pence* Sterling per Day, over and above the Provisions which had been allowed them, and that any Abatement or Stoppage would now seem unequal and grievous, and raise the utmost Discontents amongst the disbanded Troops; which, as he very justly observes, may be a Prejudice to His Majesty's Service in general upon any future Emergency of the like Nature.

We have likewise received a Letter from Governor *Clinton*, inclosing an Account of Pay due to the *Pennsylvania* Companies from the 25th of *June* last to the 31st of *October;* wherein it appears, that there remains due to the Officers of the said Companies, *One thousand eight hundred and twenty two Pounds, Fifteen Shillings and Eight pence* Sterling; and to the Sergeants, Corporals. Drummers and private Men, *One Thousand three hundred and twenty three Pounds, eighteen Shillings,* Currency, besides an Allowance, which Governor *Clinton* observes the Officers expect, as they have computed their Accounts only to the 31st of October, but were not acrually discharged till the 19th of November; which Papers, together with an Account of Provisions supplied the said Companies by Governor Clinton, amounting to *Two thousand seven hundred and fifty four Pounds, seven Shillings and three Farthings,* we have ordered to be laid before you; and we earnestly desire you will proceed with all possible Dispatch to comply with His Majesty's Demands.

January 5, 1747. ANTHONY PALMER, President."

The further Consideration of the above Message, was adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House resumed the Consideration of the Message from the President and Council, which was again read with the Papers therein referred to; and after some Time spent therein,

Ordered, That *Thomas Leech*, *Israel Pemberton*, *Abraham Chapman*, *Thomas Worth* and *James Webb* be a Committee to prepare a Draught of an Answer to the said Message.

Then the House adjourned to Three o'Clock, P. M.

The Gentlemen appointed to prepare a Draught of an Answer to the Message from the President and Council, reported the same to the House, and it was read by Order and approved of, and ordered to be transcribed that it may be sent up to the President and Council.

And being accordingly transcribed, it was again read, and follows in these Words, *viz.*

May it please the President *and* Council,

We should have chearfully embraced the Opportunity now offered us of shewing our Loyalty, and the Regard we have to the King's Request, by lending him the Money mentioned in your last Message, until Provision could be made by the Parliament for the Repayment of it, were we in Circumstances which enabled us so to do.

But the Demands upon our Treasury have of late been so many and considerable, that the Money at our Disposal hath been scarcely sufficient to pay the necessary Charges of Government; and had we a Stock sufficient in the Treasury or Loan Office, yet as there is an Act of Assembly of the Province now in Force, which in the Absence of a Governor prohibits the passing of any Act, however great the Necessity may be, we think you must be of our Opinion, that it would be inconvenient to apply any Part of the Public Money to the purposes now required of us.

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Oswald Peele* and *James Morris* wait upon the President and Council, and deliver the same.

A Petition from *George Wood*, *William Donaldson*, *William Parker*, *John Rudulph* and *Margaret Hows*, of the Township of *Derby*, praying a further Allowance on account of their billeting Soldiers, &c. was presented to the House and read, and ordered to lie on the Table.

Divers of the Members requesting Leave to be absent To-morrow; and the Business before the House being such as they do not care to proceed upon, without having as full a House as possible, the House resolved to adjourn to the next Sixth-day.

Then the House adjourned to next Sixth-day, at Ten o'Clock in the Morning.

The Gentlemen appointed to wait upon the President and Council, with the Message of the House, report, that the President being out of Town, they had delivered it to the Secretary, who undertook to lay it before the Council.

A Letter from *Conrad Weiser*, Interpreter of the Province with the *Indians*, was laid before the House, and read.

The Petition from a Number of the Inhabitants of the City of *Philadelphia*, was again read; and the Question being put, that a Sum of Money be now given for the Purposes in the said Petition mentioned? It passed in the Negative.

Then the House adjourned to Three o'Clock, P. M.

The Message from the President and Council, of the 25th of *November* last, relating to a Present to the *Indians*, together with the Treaty the Council had held with them, and two Letters from the Interpreter relating thereunto, were read:

Ordered, That *Israel Pemberton*, *Owen Evans*, *Abraham Chapman*, *Samuel Levis*, and *Peter Worrall* be a Committee to prepare a Draught of an Answer to the said Message, and report it to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to prepare a Draught of an Answer to the Message of the President and Council, reported the same to the House, and it was read by Order, and ordered to be transcribed, that it may be sent up to the President and Council.

Resolved, That the Sum of *Five Hundred Pounds* be at this Time given and allowed as a Present to the *Indians* of the *Six Nations*.

And the Message being transcribed, was again read, and follows in these Words, *viz.*

May it please the President *and* Council,

We have taken into our Consideration your Message of the 25th of *November* last, concerning the Treaty held with the *Indians* from *Ohio*. The Importance of these *Indians* towards the continuing and cultivating the good Understanding which hath so long subsisted between this Government and the *Six Nations*, we observe, from this Treaty, depends pretty much on the Account they gave of themselves: However, as they are

a Part of the *Six Nations*, who, very probably, in this calamitous Time, are often in Want of Necessaries to acquire their livelihood, we approve of the Present you have though fit to make them; and also of the Account you have sent the *Six Nations* of a larger Present intended for them in the Spring and we shall take the Care which is necessary to enable you to fulfil that Engagement.

Permit us, however, to add, that we think it will be necessary to press their Union amongst themselves, and that they will do well to have due Regard to the Opinion of their old and experienced Men, whose Advice, from the Account they give, seems to have been laid aside. Most of us, you are sensible, are Men of peaceable Principles, and the Presents we gave (and those formerly given on Behalf of this Government, so far as we have understood) were to supply them with Necessaries towards acquiring a Livelihood, and to cultivate the Friendship between us, and not to encourage their entering into a War. This we think most for the King's Interest, and the Peace and Safety of his Colonies, in *America;* it being well known, that Wars, once begun amongst them, are not to be ended without great Difficulty, and are attended with so much Bloodshed and Cruelty, as usually excites Revenge and like Inhumanity from the *Indians*, in the *French* Interest against those in Amity with us, and against others the King's Subjects.

We observe from *Conrad Weiser's* Letter, which you were pleased to order to be laid before us, the *Indians* continue their Complaints of the Injuries they have received by the Carrying of Rum amongst them; and we therefore hope you will endeavour to prevent this for the future, by directing the Laws provided against this Abuse to be duly put in Execution.

As to that Part of the Message we have mentioned, which relates to Governor Shirley's Letter and Proposals, we are not informed of any further Accounts received from him since our last Meeting; and therefore our Sentiments on that Occasion at this Time will, we presume, be of little Use.

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Edward Warner* and *James Morris* carry up the same to the President and Council, and acquaint them, that the House intends to adjourn this Day to the Sixteenth of the next Third Month.

The Gentlemen return and report, that they waited upon the Council, and delivered the Message according to Order, the President being absent. That the Council were pleased to say, they were preparing something to lay before the House; but

since the House had determined to adjourn, they acquiesced with it.

Then the House adjourned to the Sixteenth Day of the next Third Month.

The House met, pursuant to their Adjournment.

Ordered, That *Thomas Leech* and *Joseph Trotter* wait upon the President and Council, and acquaint them, that the House is met pursuant to its Adjournment, and ready to receive any Thing they may have to lay before it.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the President and Council with the Message of Yesternight, report, that they delivered the same to the President, who was pleased to say, the Council would send a Message to the House this Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The President and Council sent a written Message to the House, by the Secretary, with several Papers therein referred to, which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

Since you were pleased in your Message, of the 9th of *January* last, to express your Approbation, as well of the Present then made to the Indians, as of the Engagement entered into at the Treaty, of sending our Interpreter with a larger Supply in the Spring, we have accordingly provided a suitable Quantity of *Indian* Goods for that Purpose. But observing the *Indians* addressed themselves to the *English* in general, and considering that the Burthen of so large a Present, as would be necessary to preserve their Friendship, ought not to be borne by this Government only, we dispatched Letters to the Governors of *Virginia* and *Maryland*, acquainting them with the late Treaty, representing the Importance of the Friendship of those *Indians* to their Governments as well as ours, and entreating them to recommend it to their respective Assemblies to act in Concert with us on this Occasion. As the Resolutions of those Governments cannot be known till the Meeting of their Assemblies, when this Affair will be laid before them; and as we have received Advice that the *Six Nations* intend to send some of their Chiefs early this Summer to transact some Business of Consequence with us, on which Occasion our Interpreter's Presence will be absolutely necessary; we have come to a Resolution to defer sending him with the Goods to the *Ohio Indians* for the present; and have dispatched a

Messenger to acquaint them with the Reasons of this Delay, and to assure them, that our Interpreter will set out with the Goods as soon as the Business with the *Six Nations* is compleated. The Letters which have passed between us and the Southern Governments, together with the Instructions intended to be given to the Interpreter for his Conduct in treating with the *Indians* on his Arrival at Ohio, we have ordered our Secretary to lay before you; as also an Account of the Goods we have purchased for the intended Present, amounting to about £1000, which, with the charges of Carriage, and the necessary Expences of the Interpreter and his Company you will provide for; so that the Merchants may be paid as soon as possible, the Goods having been purchased at Ready-money Prices.

We have long had under Consideration the mischievous Practice of selling Rum among the *Indians*, and have issued a Proclamation, drawn in as strong Terms as the Nature of the Case would admit, to prevent it; but as the Laws provided in those Cases are very defective, we cannot expect the Abuses and Irregularities committed by those who pass under the Name of *Indian* Traders, will be prevented, until those Laws be amended; we therefore earnestly recommend it to your House to take the State of the *Indian* Trade into Consideration, and to prepare a Bill for limiting the Number of *Indian* Traders, and the putting them under proper Regulations, so that it may be passed into a Law on the Governor's Arrival.

Great Inconveniencies having arisen by the Imprudence of Pilots going on board Vessels at the Capes, before they knew whether they were Friends or Enemies, proper Care has been taken to prevent those of this Government, and the Lower Counties, from entering on board any Ships or Vessels, without Licence from the Magistrates; and this Board was in hopes the Government of the *Jerseys* would have laid their Pilots under the like Restrictions; but since that has not been done, we have caused a Proclamation to issue, prohibiting Pilots from going on board any inward bound Vessel, until the Commander, or some of the Mariners, have first come on Shore, and it be known whether such Vessel belongs to *British* Subjects.

This Province, which very lately was in a defenceless State, is now, through the Zeal and Activity of some, who have the Love of their Country sincerely at Heart, rendered capable, with the Blessing of God, of defending itself against the Designs of our Enemies, many Thousands of the Inhabitants having voluntarily entered into the most solemn Engagements for that Purpose; in consequence whereof, Arms have been provided, and every one appears assiduous in qualifying him-

self for the Defence of his Country. We see with the greatest Satisfaction such Order and Regularity observed among them, and such a Progress made in so short a Time in military Skill, as far exceeds our Expectations. They have likewise, at a considerable Expence, erected Batteries on the River, so situated, and of such Strength and Weight of Metal, as to render it very dangerous for an Enemy to attempt the bringing any Ships before the City. Designs so commendable, and at the same Time so necessary, could not fail of the Approbation and Encouragement of this Board; we have therefore granted Commissions to such General and other Officers, as have from Time to Time been presented to us for that Purpose by the Associators. Since these Measures tend so manifestly, under God, for the Security of this Province, the Preservation of its Metropolis, and the Protection of the Aged and Helpless from the Calamities which would attend an Invasion, we think they justly deserve the Encouragement and Assistance of your House.

In *December* last the Common Council and Merchants of this City, taking into Consideration the many Losses that had been sustained, and the melancholy State to which our Trade was like to be reduced, have, in separate Petitions, addressed the Lords of the Admiralty for a Man of War, at the same Time desiring the Proprietaries to give them their utmost Assistance; to which we have not only added Representations and Addresses from this Board, but have likewise applied to almost all the Governors and Commanders in *America*, from whom there was any Probability of being furnished with the Cannon or Ships of War. We are very glad to say these Applications have not been altogether unsuccessful; Gratitude calls upon us to acknowledge the Obligations we are under to the Government of *New-York*, for a Supply of battering Cannon, and to our worthy Proprietaries, from whose Interest and earnest Solicitations at the Admiralty Board, we have good Reason to expect that a Man of War is ordered for the Security of our Trade; hereby the sinking Spirits of our Merchants and Tradesmen will be revived, the Produce of our Country be exported at less Risk, and the Price of it thereby kept up, to the Encouragement of the Farmers.

The *French* and *Spanish* Prisoners now in Town will require some Provision to be made for them during their Stay here, which we shall endeavour to make as short as possible.

May 17. 1748. ANTHONY PALMER, President."

The further Consideration of the Message from the President and Council was adjourned till To-morrow Morning.

A Letter from *Conrad Weiser*, Interpreter to the Province, relating to a Complaint made against one *James Dunning* by an *Indian*, being laid before the House by the Secretary, with a verbal Message from the Council, recommending the same to the Consideration of the House, was read; and the Indian attending, was examined thereupon, and then withdrew; and the Complaint was referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Message from the President and Council was again read, and considered, and the further Consideration thereof referred to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The House proceeded in reading and considering the Message from the President and Council.

Ordered, That *Thomas Leech*, *Oswald Peele*, *John Watson*, *John Owen* and *James Webb* be a Committee to prepare a Draught of an Answer to the said Message.

Then the House adjourned till To-morrow Three o'Clock P. M.

The President and Council sent down, by the Secretary, a written Message to the House, which was read, together with a Paper therein referred to, and the Message follows in these Words, *viz.*

GENTLEMEN,

We have just received Advice from *Newcastle*, that there is a French Privateer upon our Coast, mounting fourteen Carriage and sixteen Swivel Guns, and one Hundred and Seventy-five Men on board, with two other Privateers in Concert; and by the Deposition, which the Secretary will lay before you, it appears that on *Sunday* Morning last they had taken a Schooner bound from this Port to Bermuda, on board of which they had put Part of their Men, with Arms, and Orders to proceed to the Capes of Delaware, where the Schooner arrived, and on Monday Evening took in our Bay a Brigatine with a very valuable Cargo on board, bound to this Port. One of these Privateers is the same that come into our Bay last Summer, and there took several inward and outward bound Ships, of very great Value. The Apprehensions of this Board, that the Success our Enemies then met with, without Opposition, would be an Encouragement to further Attempts, appear by the present Event, to be well founded: and if some speedy and

effectual Measures for Putting a Stop to these Depredations are not soon taken, there will be just Reason to fear worse Consequences: Private Subscriptions, if they could be procured, would be insufficient for the Preservation of the Trade of this Province, and are an unreasonable, as well as a grievous Burthen, on a Few, in a Case where All are concerned; it is from your House only that the Merchants and Traders expect Protection; and if that be now refused, or proper Measures neglected to disperse the Enemy, our Port must continue blocked up; our inward bound Vessels inevitably lost, and a total Stagnation of Trade must follow, which will certainly bring Poverty and Ruin upon many of our Inhabitants: We therefore most earnestly recommend it to you, as you have the sole Disposal of the Public Money, that you would employ some Part of it for the Service of the Public in the Protection of their Trade.

May 19, 1748 ANTHONY PALMER, President."

The further Consideration of the Message was adjourned till To-morrow.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to prepare a Draught of an Answer to the former Message from the President and Council, reported the same to the House, and it was read, and considered, and the further Consideration thereof referred to the Afternoon.

Resolved, That an Order on the Treasurer issue, under the Hand of the Speaker, for paying in Goods the Value of *Fifteen Pounds* to the *Indian*, towards a Compensation for the Loss he complains of.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Message to the President and Council, and after Debate thereupon, and some Amendments, it was ordered to be transcribed, that it may be sent up to the President and Council.

The second Written Message from the President and Council was again read;

Ordered, That *Joseph Trotter*, *James Morris*, *Abraham Chapman*, *Samuel Levis* and *Peter Worrall* be a Committee to prepare a Draught of an Answer to the same, and report it to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Message to the President and Council being transcribed, was read, and follows in these Words, *viz.*

May it please the President *and* Council,

By our Message. to which you are pleased to refer in your's of the 17th Instant, we expressed our Approbation as well of the President then made to the Indians, as of the Engagement you had entered into at the Treaty, of sending our Interpreter with a large Supply in the Spring. And to enable you to discharge these Engagements, we caused an Order to be drawn at our last Sitting on the Treasurer, for the Payment of *Five Hundred Pounds*, which, with what was remaining of the Money formerly given for the like Purposes, we thought, and yet think, might be sufficient for our Part of the Present to be made to the *Indians* at this Time; especially since, as you very justly observe, "The Burthen ought not to be borne by this Government only." From the Letters you are pleased to direct to be laid before us, we further observe, that the Governors of *Virginia* and *Maryland* shew a Willingness to promote the giving of additional Presents on Behalf of their Governments; and if our Proprietaries, whose Interests are very nearly concerned, and will be much augumented, by cultivating a good Understanding with these *Indians* on our Borders, would also be pleased, as formerly they have done, to join their Presents with ours (which we are humbly of Opinion they ought to do) the Whole would make a very handsome Present, and all that we think is necessary, without any further Provision than what is already made. However, as we know the Time is critical, we are willing to do all we judge reasonable on this Occasion; and shall therefore make the necessary Provision to pay for the Goods, which, by the Accounts exhibited to us, appear to be already purchased, together with the usual Charges allowed for transporting them.

We agree in Sentiments with you, that the Practice of selling Rum among the *Indians* is mischievous; and therefore think is was prudently done to issue the Proclamation you are pleased to mention, to prevent, as much as might be, the like ill Practices for the future. This Mischief, we conceive, is occasioned rather by the Difficulty of putting the Laws already made in Execution, than any Defect in those Laws; however, we shall at a proper Time resume the Consideration of these Laws, and shall chearfully consent to any Amendments which shall appear to us reasonable or necessary.

The Care you have been pleased to take for preventing the Inconveniencies which may arise by the Imprudence of Pilots, was well judged. On the Arrival of our Governor, we think it will be necessary to provide Acts of Assembly both here, and in the three Lower Counties, for this Purpose: And the

Example, we doubt not, will be followed by the Government of *New-Jersey;* the not having any Laws respecting Pilots amongst us, being, as we are informed, the only Reason which prevented an Act for like Purposes from passing among them.

As to that Part of your Message which respects the Association lately entered into, and the Preparations made for the Defence of the Province, it is difficult for us to express our Sentiments; the most of us, as well as many others within this Province, you know, have professed ourselves principled against the bearing of Arms; and yet, as we enjoy the Liberties of our own Consciences, we think it becomes us to leave others in the free Exercise of theirs. The Assistance you have thought fit to give the Associators, we make no doubt arose from a Sense of what you believed your Duty. And the Zeal and Activity many of them have shewn on the Occasion, we suppose may have arisen from the Love they bear to the Country. And as we are willing to make charitable Constructions on their Conduct, we hope the like charitable Sentiments will prevail with them concerning us, and others like principled, when we have repeatedly declared we cannot in Conscience join with any Preparations of this Kind.

As we have the Honour of representing the whole Province, in which, we know, there are Numbers of People, whose Judgments in the Point we have mentioned, do not exactly correspond with ours, we think it no Inconsistency, notwithstanding any Thing we have said, to add, that we acknowledge, with Gratitude, the Regard the Lords of the Admiralty are pleased to shew for protecting the Trade of the Province: And also the Kindness shewn by our Proprietaries in soliciting for it. Nor have we less grateful Sentiments of the Kindness of our neighboring Government of *New-York*, as we believe their Intentions were good, and it may have quieted the Minds of divers of our Inhabitants; though it is a Favour we could not have asked, being intended for such a Mode of Defence, in which we do not place our Confidence.

The *French* and *Spanish* Prisoners, you are pleased to mention, are, as we are informed, imported by a Vessel not belonging to this Port; and it is not clear to us, that Owners of Ships, belonging to any other Port, have Right to bring Prisoners hither to become a Charge upon us; and, if allowed in this Instance, may encourage Multitudes of others: However, whilst they are amongst us, we think they ought to be provided for, and treated with Humanity; whether at the Expence of the Province in the whole or in any, and what Part, may hereafter be considered: In either Case, we approve of

your Resolutions to make their Stay amongst us as short as possible: And we hope you will think it reasonable that the Prisoners may, in the mean Time, be confined at least by Night, to prevent their doing any Injuries to the Inhabitants of this City.

We have likewise considered the Complaint you were pleased to recommend to us, made by an *Indian*, of the Theft committed on him, in taking Horses and Peltry from him; and we have made such Enquiry as hitherto hath been in our Power: But having heard only one Side, it is not fit we should come to any determinate Resolutions therein. We are, however, sensible of the Dangers which may arise from Complaints of this Kind, where due Care is not taken; and therefore, as a Court of Oyer and Terminer is, as we are informed, likely to be held in *Lancaster* in a little Time, we intreat the President and Council it may be recommended to the Care of the Judges of that Court, to make the necessary Enquiry; and, if they find Cause, to direct a Prosecution against the Offender, and, if he shall be duly convicted, to take Care that he suffer as the Law directs, and be obliged to make Restitution to the Party aggrieved. In the mean time we have thought it necessary to make the *Indian* a Present, because, as they have little Knowledge of our Laws, and the Time requisite for convicting Offenders, he might otherwise think the Delay an Intention of depriving him of his Right, and be thereby excited to disturb the Peace of the Government, if not to do some greater Injury."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *James Morris* and *Joseph Trotter* wait upon the President and Council, and deliver the same.

The Gentlemen return and report, that they delivered the same according to Order.

The Committee appointed to prepare a Draught of an Answer to the second written Message from the President and Council, reported the same to the House, and it was read, and approved of, and ordered to be transcribed, that it may be sent up to the President and Council.

Which being done, the same was again read, and follows in these Words, *viz.*

May it please the President *and* Council,

We have so often declared our Sentiments on like Occasions as the subject Matter contained in your last Message, you cannot possibly be unacquainted with them; and therefore we think it can be of no Use to repeat them here. Besides, we do not see what in Prudence or Policy could be done on the

present Emergency. To send a Vessel in Pursuit of the Privateer supposed to be at the Capes, the Distance is so great, a late Example may convince us, the Privateer might, and, very probably, would be out of Reach, before any Vessel could get thither. And to keep a Vessel constantly at our Capes to guard the Coast, must be introductive of an Expence too heavy, as we conceive, for the Province to bear. We may add to this, that to put so great a Burden on the Inhabitants at this Time, would, we think, be inexcusable, when, from the Message you were lately pleased to send us, as well as by other Accounts, there is great Reason daily to expect a Ship of War, to be stationed on our Coast, for the Protection of the Trade of the Province."

And the Message being signed by the Speaker, by Order of the House;

Ordered That *John Hall* and *John Owen* carry up the same to the President and Council, and withal acquaint them, that the House inclines to adjourn this Day to the 22d of the next Sixth Month.

An Order was drawn on the Treasurer, and signed by the Speaker, by Order of the House, for the Payment of twenty-three Pounds Seven Shillings and Three-pence to *Joseph Turner*, in Discharge of his Account for Provisions and Shoes, furnished to some *Spanish* Prisoners, sent away in a Flag of Truce the last Fall.

The Gentlemen return and report, that they have delivered the Message of the House to the President and Council, according to Order, and that no Objection was made to the proposed Time of Adjournment.

A verbal Message from the President and Council, by the Secretary, *viz.*

Mr. *Speaker*,

'As the House has informed the Board that they incline to adjourn till the 22d of *August*, the Council are unwilling to press their Stay longer at this Time; but if the Ship of War should not arrive so soon as is expected, and our Port continues to be blocked up, they shall be under a Necessity of calling you together before the Time to which you propose to adjourn."

Then the House adjourned to the 22d of the next Sixth *Month.*

The President and Council having by their Writs directed to the Sheriffs of the respective Counties, ordered the Assembly to be summoned to meet this Day; a quorum met accordingly.

Ordered, That *Thomas Leech* and *Edward Warner* wait on the President and Council, and acquaint them, that the House is met pursuant to their summons, and ready to receive any Thing the Council may have to lay before them; and also desire a Copy of the Writs by which they were summoned.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the President and Council with the Message of Yesternight, report, that they delivered the same according to Order.

The President and Council sent down a Message in Writing by the Secretary, with several Papers therein referred to, and one of the Writs by which the House was summoned; which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

'The Reason for calling you together so soon after your Adjournment, will appear from the Depositions and Papers herewith laid before you; and though you have hitherto refused to grant Money for the Protection of the People, or the Trade of this Province; yet, as we think it our Duty, you must excuse us, if, in this Time of general Calamity, we again press you on that disagreeable Subject, in Hopes that the miserable Circumstances to which we are now reduced, may at length prevail with you to provide a proper Remedy.

'At the Time of your last Sitting our Port was actually blocked up by the Enemy's Privateers; they have since grown more numerous, and have taken almost all our inwardbound Vessels, using our Countrymen with great Barbarity. One of them, a large *Spanish* Privateer, with One Hundred and Sixty Men on board, came up the River as high as Elsenburg, where she came to an Anchor, without being discovered to be an Enemy, and intended next Morning to take a Ship then laying before *Newcastle*, and burn the Town; which they had certainly effected, had not an *Englishman* swam on Shore in the Night, and alarmed the Inhabitants. 'Tis true most of the Privateers are now thought to be gone off with their Prizes; but it is reasonable to suppose they will soon return for more; or that others, encouraged by the Fame of their Success, will supply their Places.

'During the Enemy's Stay in the River they took a great Number of small Craft, and thereby gained exact Intelligence of what passed among us; and it is not unlikely but that, among other Things, they had learnt the Resolutions of your House, and had a Dependance that no Vessel of War would be fitted

out against them by this Government; otherwise they might have expected their Insolence and Cruelty would not have gone unpunished; it being an unusual Thing for *Englishmen* to bear tamely, and without Resistance, the Insults of so despicable an Enemy, Crews of Negroes, Mulattoes, and the very Dregs of Mankind.

'Soon after your Adjournment his Majesty's Sloop the *Otter*, under the Command of Capt. *Ballet*, arrived here; but not being in Condition to proceed immediately on a Cruize, and being besides a Vessel of small Force, insufficient, without an Assistant, to attack such a Number of Enemies, we have hitherto reaped no Advantage from her Arrival: She is now careen'd, and we hope will soon fit for Service; to which End the Captain assures us nothing in his Power shall be wanting. And we have dispatched an Express to Virginia, in order to procure (if possible) the *Hector* Man of War to join her; but as the obtaining this Assistance, and its Continuance, if obtained, are, on many Accounts, uncertain, we have thought it absolutely necessary that a Ship of War should be fitted out by this Province, to be joined with the *Otter* for the Protection of our Trade, the Consideration whereof we now earnestly recommended to your House, and that you would accordingly furnish a sufficient Sum of Money, which we assure you shall be applied faithfully to that Purpose, and with the utmost Frugality. You will herewith receive an Estimate of what we judge the Charge will amount to by the Month, which we shall endeavour to lessen as much as possible.

'We find, that it has been the Opinion of your House, that the Keeping a Vessel constantly at our Capes to guard the Coast, will be introductive of an Expence too heavy for the Province to bear, and be too great a Burthen on the Inhabitants. But if our Port continues blocked up; if not only our inward-bound Vessels must be taken, but those in Port dare not venture out, whereby the perishable Commodities with which they are laden spoil in the Hands of the Merchants; if those Colonies that used to take off great Part of our Produce, are discouraged from sending their Vessels hither, and endeavour to be furnished, as they may be, with the same Commodities, at a safer Port; if, by these Means, our Trade diminishes, being turned into another Channel, our Produce sinks in Value, and every necessary Commodity from abroad is enhanced in Price; if, thro' the Decay of Business, our Merchants fail, our Tradesmen want Employment, our Farmers are reduced to Poverty, our Inhabitants remove, and our Lands and Houses fall far below their present Worth, all

natural Consequences of an obstructed Navigation; we beg you would consider whether these will not prove Burdens vastly heavier, and to which that of keeping a Vessel to protect our Trade bears no Proportion; we having good Grounds to assure you, that the Loss sustained within one Week only, amounts to a much larger Sum than would be necessary to be expended in guarding our Coast for several Years. We shall only add, that if there should not be Money enough at present in the Treasury, a sufficient Sum might readily be raised, by way of Loan, on the Credit of a Vote of your House.

June 9, 1748. ANTHONY PALMER, President."

The further Consideration of the Message was referred to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The Message from the President and Council was again read and considered, and the further Consideration thereof adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Message from the President and Council was again read, and considered;

Ordered, That *James Morris*, *Israel Pemberton*, *Abraham Chapman*, *Peter Dicks* and *Peter Worrall* be a Committee to prepare a Draught of an Answer to the same, and report it to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of an Answer to the Message of the President and Council, reported the same to the House, and it was read, and considered, and ordered to be transcribed, that it may be sent up to the Council.

Then the House adjourned to Two o'Clock, P. M.

The Message to the President and Council being transcribed, was again read, and follows in these Words, *viz.*

May it please the President *and* Council,

That we have refused to grant Money in the Manner you have sometimes thought proper to apply for it, is very true; and yet we think the Charge you are pleased to make against us, in your last Message, "of our having hitherto refused to grant Money for the Protection of the People, and the Trade

of this Province," is too generally expressed. That Government ought to be honourably supported, and that we ought to contribute towards it proportionably to our Circumstances, have been both our Sentiments and Practice. And, "the Protection of the People, and the Trade of "the Province," we look upon as principal Parts of the Duty of those by whom this Support is received. And wherever those in whose Hands the executive Powers of Government have been, or now are, in Discharge of what they conceive to be their Duty, are, or shall, on any mergency, be put to an Expence for the Good of the Province, which the Assemblies have or hereafter shall judge reasonable, as we remember no Instance past, so we believe not any such will hereafter happen, wherein a suitable Provision will not be made in the Support of Government.

We would not from hence be understood, to encourage your putting the Province to any extraordinary Expence at this Time, and particularly in hiring and fitting out a Ship of War, which we think unnecessary; and which, from the Estimate you were pleased to send us, amounts to near 1000 l. per Month, besides the Risk and Repairs of the Vessel; a Burden, we now think, as formerly we have thought, too heavy for the Province to bear.

The Answer you are pleased to give to this Objection, consists only in pointing out the Consequences you are pleased to puppose may attend the blocking up our Ports, &c. But in the Judgement you form on this Occasion, you seem to consider the Province independent, as neither intitled to, nor having Reason to expect, any other Protection or Defence, but such as it is is able to provide for itself. If this were really the Case, the Dangers you apprehend might be better grounded; it being evident that were the whole Province to exert themselves to the utmost of their Abilities, it would not be sufficient to protect them against such a Force as might possibly come against them.

The late Attempts appear, by the Depositions you are pleased to lay before us, to have been made by three Privateers, who did not come altogether: And if an additional Ship of War was necessary in that Case, is it not possible that double the Number of Privateers may come? And will not, by the same Reasoning, a double Number of Ships of War be necessary. Is the Province able to bear such an Expence? Or is it reasonable to suppose, that when by Favour of the Crown one Vessel is stationed amongst us, and the Assistance of another enjoined, if it shall become necessary, that it was not intended to relieve the Province from a Burden it was judged unfit

to bear? Can it be prudent to strain our Circumstances, and load the Province with so heavy an Expence, after the Provision thus made for us? And might not the making such further Provision deprive the Province of the Vessel, which, by the Lenity of the Government, is already provided for guarding our Coasts, and protecting our Trade, free from any Expence to us?

In Times of War, it is not to be expected but that Losses will happen; the Channel of *England*, we suppose, hath been as well guarded of late as ever, and yet, as we are informed, not less than five out of six Vessels, which sailed from this Port within the Space of about fifteen Months last past, have been taken, and but one of them on our Coast. The Estimate you have been pleased to make of the Losses which lately happened, is in our Opinion, much too large. Two of those Vessels (one of which was the most valuable of those lately taken) were taken at Distance from our Capes; and this might have been the Case, if a Ship of War had been cruizing there.

On the Whole, as you are pleased to inform us that most of the Privateers (we suppose all) are gone off; that the Ship of War in our Port will soon be fit for Service, and that you have dispatched an Express to *Virginia*, in order to procure the *Hector* Man of War to join her; if the Commander of that Ship be, as we are told he is, instructed to assist the *Otter* when it is necessary, there is no Reason to doubt but he will comply with his Instructions; and this, on the present Occasion, is all that appears to us necessary: And we must therefore desire to be excused, when we declare, that we cannot concur in Opinion with you, that it is at this Time necessary a Ship of War should be fitted out by this Province."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Samuel Levis* and *Francis Yarnal* carry the same up to the President and Council, and acquaint them, that the House is inclined to adjourn this Day to the 22d of the next Sixth Month.

The House being informed that Capt. *Ballet*, with the King's Sloop the Otter, which, by an Order from the Lords of the Admiralty, was stationed here to guard the Trade of the Province, is about to sail, and it being moved, That as a Token of the Loyalty and Gratitude of the Inhabitants of this Province for the Favour shewn on this Occasion, a small Present may be made the Captain, for supplying him with Sea-stores and other Refreshments; it was thereupon

Resolved, That the Sum of *One Hundred Pounds* be paid by the Treasurer to Capt. *Ballet* for the Purpose aforesaid; and an Order was drawn accordingly, and signed by the Speaker, by Order of the House.

The Gentlemen return and report, that they delivered the Message to the President, who was pleased to say, that he had no Objection to the proposed Time of Adjournment; but as the Council were not yet met, he requested the House would stay Half an Hour.

The House being informed that the Council were now met, ordered the same Members to wait on the President and Council, and acquaint them, that the House have gone through the Business that lay before them, and are inclinable to adjourn.

The Gentlemen return and report, that they waited on the President and Council, and delivered the Message of the House according to Order; and that some of the Council were pleased to say, they were reading the written Message, and would send it to the House as soon as possible.

The House having waited some Time,

Ordered, That *James Morris* and *Joseph Trotter* wait on the President and Council, and acquaint them, that if they have nothing to lay before the House, the House is determined to adjourn.

Who returning, report, that they delivered the Message according to Order; and that the Secretary is attending with a Message from the Council.

And the Secretary being called in, said,

Mr. *Speaker*,

"The President and Council command me to tell the House, that after what they have said, they think it will be to no Purpose to say any Thing further to the House." Then the House adjourned to the 22d of the next Sixth Month.

The House met, pursuant to their Adjournment.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the President and Council, and acquaint them, that a Quorum of the House is met, pursuant to their Adjournment; and that, if the President and Council have any Thing to lay before them, they are ready to receive it.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the President and Council with the Message Yesternight, report, that they delivered the same to the President according to Order; who

was pleased to say, the Council would have something to lay before the House Tomorrow Morning.

A Petition from *Thomas Graeme* and *William Till*, Esquires, two of the Judges of the Supreme Court, setting forth, that the Business of the said Court is from Year to Year considerably increased, so as to take up much more of their Time and Attention than heretofore; and requesting therefore an Addition to their Salaries usually allowed them; was presented to the House, and read; and ordered to lie on the Table.

Ordered, That *Oswald Peele*, *Joseph Trotter*, *Cephas Child*, *Peter Dicks*, *John Davis* and *Arthur Patterson*, be a Committee to examine and settle the Accounts of the incidental Charges for the current Year.

The Petitions from the Innkeepers of *Chester* and *Derby*, praying farther Allowance on account of their billeting Soldiers, &c. were again read, and referred to *Isaac Norris*, *Joseph Trotter*, Thomas Leech and Peter Dicks, who are to examine the Allegations of the said Petitions, and report their Opinion what may be proper for the House to do therein.

The Petition of *Alexander Gandouit*, Practitioner in Physick, praying a farther Allowance on Account of his Attendance on, and Medicines administered to sundry sick Soldiers, was also read, and referred to the same Committee.

An Account of *Thomas James* for dieting *French* Prisoners, amounting to *Thirty-seven Pounds Six Shillings*, was laid before the House, and read; and referred to the same Committee.

An Account from *Hugh Roberts*, for Pipes, Tobacco and Sugar, delivered for the *Indians* at several Treaties, amounting to *Two Pounds Nineteen Shillings* and *Ten-pence*, was laid before the House, and read; and referred to the same Committee.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The President and Council sent down a written Message to the House by the Secretary, with several Papers therein referred to, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'In Pursuance of his Majesty's Commands, signified to us by his Grace the Duke of *Bedford*, we have caused his Majesty's Proclamation for a Cessation of Arms to be published here, which, by the Advices we have received, we expect will soon be followed by a general Peace.

'Since your last Sitting we have again taken into Consideration the mischevious Practice of carrying Rum among the *Indians*, and have not only issued a Proclamation for preventing it, but have ordered the Magistrates of *Lancaster* County to recommend it to the Grand Jury, that the Delinquents may be prosecuted; whereupon Bills of Indictment have been found against a great Number of them, which, we hope, will be some Check to this growing Evil, though we cannot expect a total Stop will be put to it, until the Laws provided against selling Rum to the Indians, be amended.

'The latter End of *June* last we received a Letter from his Excellency Governor *Shirley*, acquainting us, that an Interview with the *Indians* of the *Six Nations* was appointed to be held at *Albany*, on the 10th of *July*, desiring that Commissioners might be sent from this Government to be present at it, to consult and join with the other Commissioners there; but taking into Consideration your Sentiments delivered to us in a Matter of the like Kind, and observing the Notice being so short, that it would scarcely afford Time sufficient for consulting with you on this Affair, and for appointing Commissioners with proper Instructions, we declined calling you together on this Occasion.

'The Information we received from the *Cayugas* had the Appearance of a Matter of the greatest Importance to the Safety of the People of this and the neighbouring Governments; we therefore immediately dispatched an Express with it to his Excellency the Governor of *New-York*, whose Answer, together with the Information we received, will be delivered you by our Secretary.

'In Consequence of the Letters, which in our Message we acquainted you we had wrote to the Governors of *Virginia* and *Maryland*, the former has sent a Present for the *Indians* at *Ohio*, to be delivered them by Mr. *Weiser*, with the Presents from this Government.

'We have the Satisfaction to acquaint you, that the *Twigtwees*, a considerable Nation of *Indians*, living on the River *Owebache*, a Branch of *Ohio*, hitherto in the *French* Interest, being desirous of entering into Friendship with the *English*, communicated their Intentions to the *Indians* of the *Six Nations* at *Allegany*, who conducted their Deputies to *Lancaster*, where a firm Treaty of Friendship and Alliance has been established between us. This must necessarily strengthen the *English* Interest in general among the *Indians*, contribute greatly to the Security of our Inhabitants in Time of War, and tend considerably to the enlarging our *Indian Trade*, es-

pecially as we are assured by the *Twigtwee* Deputies, that not less than twelve Towns in their Neighbourhood are equally desirous with them to become our Allies, and settle a Correspondence with us; and that they only waited to know the Success of their Negotiations, when they would make the like Application. Should this be effected, besides the Advantages already mentioned, the Intercourse between the French at Canada and the Mississippi, would be greatly interrupted, the nearest and most convenient Passage being through those Towns. For other Matters of less Moment transacted at that Treaty, we shall refer you to the Treaty itself. You will be pleased to order Payment of the Expences accrued on this and other necessary Occasions, an Account whereof will be delivered to you.

August 24, 1748. ANTHONY PALMER, President."

Some of the Papers accompanying the Message were also read, and the Rest referred to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The House proceeded to read the Remainder of the Papers sent down with the President and Council's Message; and then adjourned to Ten o'Clock To-morrow Morning.

The Message from the President and Council was again read, and further Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The Message from the President and Council was again read, Paragraph by Paragraph, and considered;

Ordered, That the Clerk lay before the House the Newspaper, containing certain Resolves of Council lately published, relating to the Proceedings of the House in their last Sitting.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Paper containing the Resolves of Council, was laid before the House according to the Order of Yesterday, and read, together with the Messages between the President and Council and the Assembly, which preceded them.

Ordered, That *Owen Evans*, *Israel Pemberton*, *John Watson*, *Thomas Chandler*, and *James Webb*, be a Committee to prepare a Draught of an Answer to the last Message from the President and Council; and also an Answer to the said Resolves, and report the same to the House.

Then the House adjourned to Three o'Clock, P. M.

The Committee appointed to audit and settle the Accounts of the General Loan-Office, and other public Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the perusal of the Members.

Ordered, That *Edward Warner* be added to the Committee for incidental Charges.

John Wright, Trustee of the General Loan Office for the County of *Lancaster*, moved, that, as his Age and Infirmities rendered him unable to attend the Duties of his Office, he might be excused, and another appointed in his room; which was referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Sundry Accounts from the Secretary, of Money advanced by him for the Public, and Services done, &c. were laid before the House, and read; and referred to the Committee for incidental Charges, who are to report thereon to the House.

The Committee appointed to examine the Accounts of the Innkeepers of *Chester* and *Derby*, report, that on considering some Informations lately received, they are of Opinion the Sum of *Nineteen Pounds Three Shillings* and *Ten-pence* be allowed to *James Mather; Twenty-one Pounds* to *David Coupland; Four Pounds Three Shillings* to *George Wood; Six Pounds Seventeen Shillings* to *William Donaldson; Five Pounds Seventeen Shillings* and *Ten-pence* to *John Rudolph; Five Pounds Two Shillings Three Farthings* to *William Parker;* and *Five Pounds Five Shillings* to *Margaret Howes;* in full of their respective Demands; which was agreed to by the House.

Then the House adjourned to next Second Day, at Three o'Clock, P. M.

The House met pursuant to their Adjournment.

The Committee appointed to examine and consider Doctor *Gandouit's* Petition and Account, report, that they have done the same according to Order; and that they are of Opinion, a further Sum of *Ten Pounds* ought to be allowed him, in full Satisfaction thereof; which was agreed to by the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House met, and adjourned to Ten o'Clock To-morrow Morning.

The Committee of incidental Charges report, that they have made some Progress in what was committed to their Charge, but had not compleated the same.

The Petition of *Thomas Graeme* and *William Till*, Esquires, two of the Judges of the Supreme Court, praying an Augmentation of their Salaries, was again read, and the farther Consideration thereof referred to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The Committee appointed to prepare a Draught of an Answer to the Message from the President and Council, reported the same to the House, together with an Answer to the Resolves published by the President and Council, and they were read by Order, and referred to further Consideration To-morrow Morning.

The House resuming the Consideration of the Petition of *Thomas Graeme* and *William Till*, Esquires, two of the Justices of the Supreme Court of this Province; it was thereupon

Resolved, That the Sum of *Sixty Pounds* be paid to each of them for their respective Salaries for the current Year.

The Committee of incidental Charges reported on the Secretary's and some other Accounts, and the House made such Allowances as seemed reasonable.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Message in Answer to that from the President and Council was read, and considered, and ordered to be transcribed, that it may be sent up to the Council.

And being transcribed, it was again read, and follows in these Words, *viz.*

May it please the President and Council,

The Information you are pleased to give us in your Message of the 24th past, that "In Pursuance of His Majesty's Commands, you had caused His Majesty's Proclamation for a Cessation of Arms to be published here," affords us great Satisfaction, and the greater from the Prospect there is, that it will "soon be followed by a general Peace." The Calamities attending War are so many, and so great, that every well disposed Mind will be humbly thankful to Almighty God, for inclining the Hearts of the Contending Monarchs towards Peace: And every dutiful Subject ought to acknowledge the paternal Regard of our King, which appears in the great Care and Solicitude he hath been pleased to shew for the Accomplishment of so salutary a Work.

The Care you have taken to prevent the carrying of Rum amongst the *Indians*, and to remove the Misunderstandings you judge likely to have arisen between the Government of

New-York and the *Six Nations;* and also the Measures pursued for extending our Alliances, and promoting Peace amongst the *Indians* by the Treaties carried on within our own Government, and your not calling us together at a Time when it could have been of little public Use, we very much approve.

The Particulars of the Treaty you have been pleased to lay before us, and the Charge which hath arisen by this Means, will in due Time come under our Notice, and such Provision made in it as the House on Consideration shall judge reasonable."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *John Hall* and *George Ashbridge* carry up the same to the President and Council, and acquaint them, that another Message is under Consideration of the House, which they expect will be ready to send up in the Afternoon.

A Petition from *James Sterret*, Sheriff of *Lancaster* County, praying Payment of an Account for his Trouble and Expences in bringing a Prisoner from Lancaster Goal to the Goal of Philadelphia, by Order of the Judges of the Supreme Court, was presented to the House, and read.

Ordered to lie on the Table.

The second Message to the President and Council was again read, and considered, and ordered to be transcribed, that it may be sent up to the Council.

Then the House adjourned to Three o'Clock, P. M.

The Gentlemen appointed to deliver the Message of the House of this Morning to the President and Council, report, that the Council not being sitting; they delivered it to one of the Members.

The Message of the House, in Answer to the Resolves of the President and Council, being transcribed, was again read, and follows in these Words, *viz.*

May it please the President *and* Council,

As it hath been our constant Care, during the whole Time of your Administration, to avoid giving just Cause for any Misunderstandings between you and the Assembly, and have for this Reason overlooked Things which otherwise we might have excepted against; so we should have been very well pleased if nothing had happened on your Part which had a contrary Tendency, such as might make it necessary to shew our Disapprobation of any Parts of your Proceedings. But the Resolves of your Board, which bear Date the 14th of

June last, published in the Gazette of the 16th of the same Month, as we presume by your Order, are so very extraordinary, as that without Breach of the Trust reposed in us by our Country, we cannot forbear to speak our Sentiments of them, in the Manner which we think becomes the Representatives of the Freemen of the Province of *Pennsylvania*.

In the first Place therefore permit us to observe, we know but of one Instance in which any such Attempt was ever before made, to wit, in the Year 1741; and the Resolution of the Assembly at that Time upon it was, *That for the Governor and Council to draw in Question, arraign and censure The Proceedings of the Representatives of the Freemen of the Province in Assembly met, after the Adjournment of such Assembly, is assuming to themselves a Power the Law hath not entrusted them with, is illegal and unwarrantable, a high Breach of their Privileges, and of dangerous Example.* On that Occasion, the Governor allowed the properest Time to have taken Notice of the Proceedings in Assembly was whilst they were sitting; but excused his not doing it, as not knowing what they had done until after their Adjournment; and if this is reasonably to be expected from a Governor, who is at the Head of the Legislature within the Province, it is more reasonable to expect it from the President and Council, who by our Constitution are no Part of the Legislature, nor are intrusted with any Share in the making of Laws. In the present Case, the President and Council can have no such Pretence as was made at the Time we have mentioned. The Message which occasioned the Resolves of your Board, was delivered before we adjourned; and if you had thought any Remarks necessary to have been made, it was in your Power to have desired our Stay until it could be done; but you were so far from desiring this, that, after the House had waited more than an Hour, you at length let them know, after what was contained in their Message, you do not think it would be of any Service to say any Thing further to them.

How, after this and divers Days Adjournment, the Board happened to resume the Consideration of our Message, and form such Resolves, introduced by publishing to the World, that the House adjourned, *before the Board had an Opportunity of reading, considering and replying to the written Message*, will require some Skill to account for. It appears to us rather as an Afterthought, and calculated to Purposes of no Benefit to the Public, as well as expressed in Terms far from being decent to the Representative Body of a Prov-

ince. Having promised thus much in general, permit us next to take Notice of such particular Parts of the Resolves, as we shall think necessary, in order to acquit ourselves from the Aspersions we think unjustly thrown upon us. And what we shall say to this Purpose, we desire may be understood as intended to such of the Council whose Names are annexed to these Resolves; for we are willing to think, that had there been a full Council, they would not have passed in the Manner they are published.

By the first Resolve the President and Council are pleased to say, *That it was never understood in this Province, that the Salaries voted to Governors* for their Support, *were intended to be laid out in protecting and defending the People and Trade of the Province*, &c.

You may be pleased to observe, that in this Part of the Resolve you have changed the Word (Government) which is used in our Message to the word (Governor) which alters the State of the Question between us very much; for though Money given to support *Government*, and Money given to support a Governor, differ but as the Whole does from a Part, it must be allowed the former is a much more extensive Donation than the latter. And yet where Money is given for the Support of the Governor, it must, as we conceive, be understood, as given the better to enable him to discharge the Trust reposed in him; and if any Emergency should require his laying out a Part of this Money for the public Good, any Government might justly think themselves unkindly used if it were denied them, especially where there was no Doubt of being repaid with Advantage. You are pleased to add, *You receive no such Salaries.* And to this we as readily answer, neither do, nor did we expect you would advance any Money. We might however have justly expected you did know that the present Assembly had no Right to bind those who were to succeed them; and therefore their Belief of what future Assemblies would do, was all that could be reasonably expected from the present.

Part of your second Resolve is, *That there is no Probability that others will be induced to advance Money on so* uncertain, obscure and evasive a Declaration, *as is contained in the last Message of Assembly; there being repaid again depending on the Good-will and Pleasure of the House, to be obtained by* humble petitioning, *and by* submissive *personal Applications to the Members*, &c. The Language you have here been pleased to make Choice of is such, as neither for Delicacy nor Decency will, we hope, be drawn into Example on any

future Debate; but waving this, as what can reflect no Dishonor upon us, be pleased to recollect, That by your Message of the 9th of June last, after having acquainted us the Sloop *Otter* would soon be fit for Service; that you had dispatched an Express to *Virginia* to procure the Assistance of the *Hector* Man of War to join the *Otter;* you let us know, you *thought it absolutely necessary that a Ship of War should be fitted out by this Province, to join with the* Otter *for the Protection of our Trade.* To this, by our Message two days after, we answered in Substance, That the hiring and fitting out such a Ship of War we thought unnecessary; that from your own Estimate the Charge would be near 1000£ per Month, besides the Risk and Repairs of the Vessel, a Burthen we thought to heavy for the Province to bear. That if the Commander of the *Hector* Man of War Had, as we were informed, been instructed to assist the Otter, there was no Reason to doubt he would comply with his Instructions, and that this was all we thought necessary on the Occasion. Is not this a direct Answer to your Message, without any Obscurity, Uncertainty or Evasion? Had we not at least as equal a Right to judge of what was fit to be done, as your Board? And has not the Event shewn the Judgment we formed was right, and saved the Province divers *Thousand Pounds?* But what renders the Proceedings of the Board yet more remarkable, is, that notwithstanding the great Obscurity in the Message you complain of, and that it is such as neither you, nor any other, would advance Money on; yet by Virtue of this Message (for without you had no Pretence) in a few Days after you thought fit to draw an Order on the active Trustee of the Loan-Office, for a Sum of Money payable to your Secretary, which he accordingly received. How to reconcile these Parts of your Conduct we are at a Loss.

When those whose Duty it is to protect Men in the Enjoyment of their Religious and Civil Liberties, become their Accusers, and censure at random, it is hard to be borne. The People called *Quakers*, think this their Case, when they find themselves publicly charged in your Resolves with Principles they do not hold, viz. *That it is their known Opinion, that all warlike Preparations are so far from being advantageous to the Public that they have a direct contrary Tendency.* It is not our Business, nor are we on this Occasion inclinable to enter into religious Disputes; but had you been pleased to recollect what has been frequently said on this Subject by former Assemblies in their late Messages to the Governor, you must have been convinced of your Mistake; and it is

the less excusable, as you were at the Time Members of Council. To asperse Men in any Manner, is doing them an Injury; and to make your Resolves the Instruments of spreading such an Aspersion against a considerable Body of People, is a very great Aggravation of the Injury.

The third and fourth Resolves you were pleased to form on this Occasion, *to wit*, That the Assembly had done nothing for his Majesty's Service, or for the Security of the People and Trade of the Province; That Three, or at most Four Thousand Pounds, would have been sufficient for equipping and maintaining a Ship of War, &c. require but a short Answer. We think good Service was done both *His Majesty and the Province*, by withholding the Three or Four Thousand Pounds, which you would have laid out in a Manner that would have been of no Benefit to either.

The fifth Resolve you are pleased to introduce in these Words, *viz That the Reason given in the Assembly's Message, why no Provision at all should be made for our Defence, to wit*, Because were the whole Province to exert their utmost Abilities, it would not be suffiicient, &c. is evasive and trifling, &c.

Overlooking the Delicacy of the Language, permit us to say, the Words here recited were neither intended, nor applied to prove, that nothing ought to be done for the Defence of the Province; but to shew we had Reason to expect, and were intitled to, greater Assistance, or that otherwise all that could be done would be insufficient. This is the obvious Sense of the Paragraph as it stands in our Message, and if there by any Thing trifling or evasive, it is owing to the wrong Light in which you attempt to place it.

In just the same Manner you mistake the Sense of the House in your sixth Resolve, introduced in these Words, *The Fact adduced in the Assembly's Message, to prove the Inexpediency or rather the mischievous Consequence of guarding any Coast, and that an unguarded Coast is the safest, &c.*

Surely you must have read our Message with great Haste, and little Attention, or you could not possibly thus misunderstand the Sense of it. Is there one Syllable throughout the Whole which makes the guarding any Coast to be mischievous, or that makes the unguarded Coast to be the safest? If there be any Thing of this Import, you should have pointed it out to us; if there be not, as surely there is not, what can we say, when we find you, by your Resolves, publish to the World Things as our Sentiments, which we never thought of?

To your seventh Resolve, all that we think necessary for us to say, is, That it must be evident, the greater Ability any Province shews towards its own Defence, the less it needs, and the less it has to expect from our Mother Country. If you will be pleased to apply this to the *Otter*, and the great Preparations you were for having the Province to make for its Defence, it will fully answer the Purport of this Resolve.

The eighth Resolve makes your Conclusion of much the same Import as your Introduction, touching which you have already heard our Sentiments. You are pleased to say, *That when an Assembly is called by the Governor, or by the President and Council, to consult on Matters of the highest Importance for His Majesty's Service, and the Safety of the People, their determining hastily to adjourn, without giving Time for an Explanation, &c. as hath been often practised by the Assemblies of this Province*, is indecent and improper, &c.

To this we answer, That notwithstanding the Charges you are pleased to make against the Assemblies of this Province, we know of no such Practices as you mention. It is true, we have by Law a Right to meet and sit upon our own Adjournments; and therefore, when all is done that we think is necessary for the King's Service, or the Good of the Country, we have a Right to adjourn, without being harrassed and kept together, either at the Pleasure of a Governor, or the President and Council; and we would hope you are better Friends to the Constitution, than to wish it deprived of this Privilege, though we must own the Resolve now under Consideration seems to strike at it. You may be pleased to recollect, that we have never exercised this Power of adjourning ourselves, without first acquainting the Board with our Intentions of so doing; and particularly we did it on our last Adjournment, of which you complain; although by your Message delivered to us, which we have already mentioned, you let us know, that after what was contained in it, you did not think it would be of any Service to say any Thing further to us. The Terms therefore of *indecent* and *improper*, are, we think, much more applicable to your Resolves, than our Adjournment.

Upon the Whole, we are of Opinion, That for the President and Council to form such Resolves, and publish them after the Adjournment of the Assembly, thereby arraigning and censuring their Proceedings, is assuming a Power the Laws of this Government never intrusted them with, is unparliamentary, such as strikes at the Freedom of Assemblies, and

the Rights of the Freemen of this Province; hath a Tendency to create Animosities in the Minds of the People, and to cause great Confusion amongst us; and therefore we hope will not be drawn into Example."

And the Message being signed by the Speaker, by order of the House;

Ordered, That *Edward Warner* and *Joseph Trotter* wait upon the President and Council, and deliver the same.

The Gentlemen return and report, that they waited upon the President and Council, and delivered the same according to Order; and that some of the Council were pleased to say, they should have a Message of some Consequence to send to the House in the Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Petition from *James Sterret* was again read, and his Account allowed; the Prisoner being a Person who is supposed to have been convicted of Murder, and made his Escape from *Albany*.

Thomas Leech and *Isaac Norris* are added to the Committee for incidental Charges.

The President and Council sent down a written Message to the House by the Secretary, who said, in delivering it, that the Council had something under Consideration, which they hoped would be ready to lay before the House To-morrow; and the Message being read, follows in these Words, *viz.*

GENTLEMEN,

'We expected that on the Receipt of our Message you would have provided for the Expence accruing on the Treaty held with the *Indians* at *Lancaster*, and were not a little disappointed when we found by your Message of Yesterday, that you had not then taken it into Consideration. As any considerable Delay will in our Opinion reflect Dishonour on this Government, we find ourselves under a Necessity of entreating you to order the Payment of the necessary Charges accruing on that Treaty before you adjourn; since, if it be postponed, the People may be long kept out of their Money, this being usually the last Sitting of your House on Business. Besides it would be a particular Satisfaction to the Board, that the necessary Expences, which have accrued during our Administration in the Public Service, should be honourably discharged.

Sept. 2, 1748. ANTHONY PALMER, President."

The further Consideration of the Message from the President and Council was referred to the Afternoon.

Ordered, That *James Morris* and *Joseph Trotter* wait upon the President and Council, and acquaint them, that the House have nearly done what Business lay before them, so as that they might adjourn in the Afternoon; but being informed by the Secretary, that the President and Council have something under their Consideration, to be laid before the House To-morrow Morning, they intend to adjourn to that Time, but desire they may have it early in the Morning.

The Gentlemen return and report, that they delivered the Message according to Order; and that the Council were pleased to say they would give all the Dispatch they could to what is under their Consideration.

Then the House adjourned to Three o'Clock, P. M.

The House took into Consideration the several Accounts of Expences in the late Treaties with the *Indians*, and there appearing to be due from the Province to sundry Persons, on that Account, the Sum of *Five Hundred and Twelve Pounds, Seven-pence* Half-penny,

Resolved, That Orders issue under the Hand of the Speaker for the Payment of the same.

Then the House adjourned to Nine o'Clock To-morrow Morning.

The Message from the President and Council was again read, and considered; and after waiting some Time,

The House adjourned to Two o'Clock, P. M.

The President and Council sent down a written Message to the House, which was read, and follows in these Words. *viz.*

GENTLMEN,

'Should we give you a particular Answer to your last Message, it would probably draw on a Controversy, which we on many Accounts desire to avoid. By compareing your Message with the Resolves of this Board, it may be seen how little Candour and Ingenuity is to be expected in the Course of such a Dispute; your observing that we have censured a Part of your former Message for its Obscurity, as being evasive, &c. and quoting another Part of it which we did not object to on that Account; and your dropping material Words in the Middle of a Sentence, where they did not serve your Purpose, &c. are a few of the many Instances we might

produce, were we to enter into the Argument; but as such a Controversy may be attended with a considerable Expence, and, as Things are now circumstanced, can bring no Advantage to the Public, we shall decline it.

'We are not accountable to each other for our Conduct, His Majesty and the Freemen of this Province are the proper Judges of it; to them we can safely appeal. As we have had no Party Views, no personal Interest or Power to support, we shall the more readily be believed when we declare, we have acted on the sole Motive of the Public Good. It is well known, that during our Administration, our Time has been chiefly employed in the Service of the Country, by using all Means in our Power for its Safety and Protection, in Times of the greatest Danger; how far you have assisted us, and those, who, to their immortal Honour, joined in this necessary Work, all the World knows.

'Your Message, upon which our Resolves were made, we thought justly liable to be censured by every one who had Sense enough to see how they were deserted by their Representatives, whose Assistance they had a Right to expect; and as it appeared to us calculated to mislead the People at a Time when their All was at Stake, we judged it our indispensable Duty to his Majesty and our Country, to expose it in the Manner we did, and that justly, notwithstanding what is said in your last Message; and though we have thereby drawn on us your Resentment, we are not concerned on that Account: While the Administration of the Government continues in our Hands, we shall perserve in preferring in preferring the Good of the Common Wealth to every other Consideration.

The single Point between us, as we conceive, is, whether your Conduct or ours has contributed most to the Public Service; and on that Point we shall leave it, without entering into a fruitless Debate on the Subject.

Sept. 3, 1748. ANTHONY PALMER, President."

Then the House adjourned for one Hour.

And being again met, the following Messages were agreed to be sent up to the President and Council, *viz.*

May it please the President *and* Council,

As you were acquainted by our last Message save one, "That the Particulars of the Treaty, and the Charges which had arisen by that Means, would in due Time come under our Notice; and such Provision made in it as the House on

Consideration should judge reasonable:" And as you justly observe, this is usually the last Sitting of the House on Business, it necessarily followed, we could not have intended to postpone the Consideration of the Charges beyond the present Session; and therefore we are at a Loss why you are pleased to express any "Disappointment" that it was not "then taken into Consideration." However, to give you full Satisfaction in this Affair, we now let you know, that we have since examined the Accounts concerning the Indian Treaties, the Goods purchased for the Present, and the Charges which have arisen thereupon, and have made Provision for Payment of the Whole which remains due on those Accounts."

May it please the President *and* Council,

We agreed with you, it was prudently judged, "On many Accounts," and especially One, to decline a particular Answer to our last Message; and we are of your Sentiments, "That by comparing your Resolves with our Message, it may be seen how little Candour and Ingenuity is to be expected in the Course of such a Dispute." Your last Message will further illustrate this, which contains fresh Charges, but expressed in Terms so obscure, as if, since you are determined not to be particular in your Answer, it should not be in our Power to be so in our Reply. Since therefore it is your Pleasure, we must leave the former Part of your Message in the Obscurity we find it, until you shall condescend to explain yourselves.

You are pleased to say "We are not accountable to each other for our Conduct;" give us leave to wish you had thought of this before you had bestowed so heavy Censure on ours: It might have saved both you and us some Trouble.

You are pleased to add, "You have had no Party Views, no personal Interest or Power to support." It may be so, since you are pleased to say it; but when this is urged as a Motive to your being "the more readily believed," in Opposition to the Representative Body of the Province, it seems to require a little Demonstration.

If it was, as you are pleased to say, really "well known, that during your Administration your Time has been chiefly employed in the Service of the Country, &c." there was the less Necessity you should become the Publishers of it. But you are pleased to add, "how we have assisted you; and those who, to their *immortal* Honour, joined with you, in the necessary Work you mention, all the World know." If those who joined with you deserved immortal Honour, how much

more do you deserve? Enjoy unmolested all the Honour, all the Applause, you think fit to bestow on yourselves; but why must you depreciate the Characters of others?

You are further pleased to say, "That our Message, on which your Resolves were made, you thought justly liable to Censure, that it appeared to be calculated to mislead the People; that you judged it your indispensable Duty to his Majesty and your Country to expose it," &c.

Since you are pleased to allow we are not accountable to you for our Conduct, whence then do you derive your Right of censuring? or, of what you expressed yet more indecently, of exposing? In the Heighth of the late Controversies, such Expressions were not used, that we remember; and we are at a Loss to find from whence you could copy such Language to the Representative Body of a Province. Besides, when the Event has shown the Judgment formed by the Assembly was right, and has saved the Province some Thousand Pounds, we think you might have spared these Censures bestowed thus unprovoked. What Motives could we possibly have for judging amiss? Have we not also Estates and Families in the Province? Have not many of us drawn our first Breath here? Have not divers of our Fathers, and some of our Grandfathers, been of the first Settlers? What Inducements can we possibly have to bias us against the Interest of our Country?

To conclude, As you shew a Disposition to submit both your own Conduct and ours to the Opinion of the Public, without entering into further Debate, so do we. If we have committed any Mistakes, the Time draws near in which our Constituents, if they think it necessary, may amend their Choice. And the Time also draws near, in which your Mistakes may be amended, by a succeeding Governor: Permit us to congratulate our Country on both."

And both the Messages being signed by the Speaker, by Order of the House;

Ordered, That *Oswald Peele* and *Joseph Trotter* carry up the same to the President and Council, and acquaint them, that the House inclines to adjourn to the Thirtieth of this Instant.

The Report of the Committee on the Public Accounts, was approved and allowed by the House, and follows in these Words, *viz*, WE *the* Committee *appointed by Order of Assembly to settle the Accounts of the* GENERAL LOAN OFFICE *of the Province of* Pennsylvania, REPORT,

That, upon a careful Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Assembly for emitting Paper Bills, and now remaining in the Loan Office undischarged, we find there are principal Sums or Quotas thereon, to be come due and payable to the Trustees, the Sum of, ...		£ 47,690 13 4
That a List of 209 Mortgage Deeds have been taken, Part on the first Re-emission of the second £80,000 and Part on the second Re-emission of ditto, amounting as per Lists, to, ...		13,219 10 0
That there are Quotas outstanding, and now due on all the Mortgage Deeds, as by a list exhibited by the Trustees to the Committee, and by them examined, amounting to the Sum of, ...		14,482 13 4
That several Sums lent the Public, to be repaid into the Hands of the Trustees, are still outstanding, viz.		
The whole Sum appropriated by the second £30,000 Act, to build a State House, ...	£ 2000 0 0	
Part of the Sum lent the City of Philadelphia for building an Alms-House, .	187 10 0	
Part of the Sum lent the City of Philadelphia by the first £30,000 Act, ...	156 0 0	

Part of the Sum put into the Hands of the Provincial Treasurer, ...	200	0	0			
	£2,543	10	0			
				£77,936	6	8
Balance in the Hands of the the Trustees, ...				2,063	13	4
Makes the whole Sum current in the Province, ...				£80,000	0	0

That the Trustees, upon the Account of Interest, Credit the Province with Sundries, *viz.*						
By Interest outstanding at the last Settlement	£ 6,556	7	7			
By Interest arising on all the Mortgage Deeds this current Year, ...	2,940	7	0½			
By broken Interest received this Year, ...	1,168	14	1			
				£10,665	8	8½
That the Trustees, upon Account of Interest, Charge the Province with the Balance of last Year's Account, settled with the Committee, 6 mo. 20th, 1747., ...	561	6	11½			
And with the Interest outstanding on all the Mortgage Deeds, amounting, as per List, to, ...	6,921	6	4½			
And for sundry Orders for Assembly's Men's Wages,.	211	16	6			
Paid Joseph Trotter for Signing 2,625 Twenty Shilling Bills, ...	1	19	4½			

Paid John Hall, for Signing 2,625 Twenty Shilling Bills, ...	1	19	4½
Paid Samuel Kirk, for Fire-Wood for the Use of the House, ...	5	13	0
Paid Lyn-Ford Lardner for the Proprietors, in Pursuance of an Act of Assembly, ...	130	0	0
Paid Thomas Leech, towards finishing the State-House,	250	0	0
Paid the Papermaker, for discovering the Person who wanted Paper made to counterfeit our Money,	10	0	0
Paid Capt. John Ballet, per Order, ...	100	0	0
To the Trustees Salary for the present Year, ...	550	0	0
Paid Isaac Greenleaf for 100 l. Sterling, being the Agent's Salary for the Year 1747, ...	185	0	0
Paid John Kinsey, Chief Judge of the Supreme Court, per Order, ...	200	0	0
Paid Thomas Graeme, one of the Judges of the Supreme Court, per Order,	50	0	0
Paid Thomas Burden, per Order, ...	10	16	11½
Paid Richard Peters, per Order of the President and Council, pursuant to a Message of Assembly, ...	150	0	0
Paid Samuel Mickle, for a Pipe of Madeira Wine, it being a Present made to Norbury, Captain of the Loo Man of War, ...	35	0	0

A Loss on Joseph Jervis's Mortgage, allowed by a former Assembly, ...	27	7	9			
An Overcharge on the Interest on Daniel Harrison's and Francis Nieff's Mortgages, ...	9	13	4			
For an Allowance due by Law for 151 Mortgage Deeds, ...	151	0	0			
				£	9,562	19 7½
Balance in the Trustees Hands due to the Province, ...					1,102	9 1
				£	10,665	8 8½

WE, *the* COMMITTEE *appointed by Order of the Assembly to audit and settle the Public Accounts*, REPORT,

That we have examined the Provincial Treasurer's Account, and find that he Credits the Province,						
By the Balance of Accounts, settled with the Committee, 6th Month 20, 1747,	£	642	18	4½		
By Cash received of Joseph Trotter and James Morris, Trustees of the Province Island, ...		99	4	6		
By Cash of John Jemmison, one of the Magistrates of the County of Bucks, a Fine for Petty Larceny, .		0	15	0		
By Cash of Judah Foulke, Collector of Excise for the City and County of Philadelphia, ...		1,369	3	6		
By Cash of William Atkinson, Collector of Excise for the County of Bucks, ...		83	0	0		

By Cash of Jeremiah Star, Collector of Excise for the County of Chester, ...	271	4	0		
By Cash of Arthur Patterson, Collector of Excise of the County of Lancaster, .	169	11	0		
				£2,635	16 4½
That he Charges the Province with the following Articles, to wit,					
Paid John Owen, per Order of Assembly, ...	5	0	0		
Paid Abraham Chapman, per Order, ...	5	0	0		
Paid Joseph Levis, per Order, for dieting and lodging Soldiers, ...	41	4	0		
Paid Isaac Griffitts, per Order, ...	11	5	0		
Paid Benjamin Franklin, per Order, ...	67	14	4		
Paid Alexander Gandouit, per Order, ...	20	0	0		
Paid Jacob Bowman, per Order, ...	58	16	0		
Paid William Dewees, per Order, ...	24	14	0		
Paid James M'Vaugh, per Order, ...	52	10	6		
Paid John Salkeld, per Order, ...	30	3	4		
Paid Charles Stow, per Order, ...	5	2	0		
Paid Peter Bard, for maintaining French Prisoners, per Order, ...	25	0	0		
Paid Conrad Gehr, per Order, ...	36	16	0		
Paid James Morris, per Order, ...	6	0	0		

Paid Catherine Wanfiddel, per Order, ...	14	8	0
Paid Samuel Kirk, per Order, ...	8	11	8
Paid Anthony Hinkle, per Order, ...	50	19	0
Paid James Claxton, per Order, ...	78	17	0
Paid Thomas Carvel, per Order, ...	44	7	0
Paid Aubrey Bevan, per Order, ...	31	14	0
Paid Thomas Norris, per Order, ...	5	12	0
Paid David Coupland, per Order, ...	25	12	8
Paid Richard Peters, per Order, ...	30	1	0
Paid Tench Francis, per Order, ...	70	0	0
Paid Thomas Bond, per Order, ...	22	10	0
Paid James Mather, per Order, ...	37	3	5
Paid James Whitehead, for maintaining Spanish Prisoners, per Order, ...	46	11	0
Paid the President and Council's Order for 400 l in Pursuance to a Resolve of Assembly, granting that Sum to purchase a Present for the Indians.	400	0	0
Paid William Till, one of the Judges of the Supreme Court, per Order,	50	0	0
Paid Marcus Hulings, per Order, ...	3	10	0
Paid the President and Council's Order for 500 l. pursuant to a Resolve of Assembly, granting that Sum as a Present to the Ohio Indians, ...	500	0	0

Paid for Sundries to clothe the Spanish Prisoners, per Order, ...	26	17	3
Paid Edward Warner, per Order, ...	5	15	0
Paid Bemalighon (an Indian) per Order, ...	15	0	0
Paid Joseph Turner, for Sundries he supplied the Spanish Prisoners with, per Order, ...	23	7	3
Paid Joseph Kent, for going an Express to Virginia, .	15	0	0
Paid John Dennice, for going an Express to New-York, ...	5	0	0
Paid Joseph Insley, for dieting and attending French Prisoners, ...	16	11	6
Paid James Wood, for bringing down French Prisoners from Newtown, in Bucks County, ...	2	2	0
Paid James Smith. for going Express to New-York, ...	5	0	0
Paid the President and Council's Order for 100 l. it being in Part of an additional Present made to the Ohio Indians by the President and Council, and allowed by the Assembly, ...	100	0	0
Paid Christopher Obrian, for maintaining French Prisoners, ...	3	7	0
Paid Joseph Scull, for maintaining French Prisoners, .	17	17	0
Paid Dorcas Buchanan, for maintaining French Prisoners, ...	10	17	0

Paid John Maul, for one Month's Hire of his Boat and Hands, in cruizing in the Bay and River of Delaware as an Intelligence-boat, ...		25	0	0		
Paid Mary Farrell, for maintaining French Prisoners,		5	2	0		
Paid James Whitehead, for maintaining French Prisoners, ...		17	4	0		
Paid James Claxton, for maintaining ditto, ...		5	14	0		
Paid Augustine Stillman, for maintaining ditto, ...		1	4	6		
Paid Pyramus Green, for maintaining ditto, ...		1	15	0		
Paid Joseph Kent, for going Express to Virginia, ...		15	0	0		
Paid Conrad Weiser, per Order, ...		43	8	0		
	£	2,170	3	5		
Commissions on £2,170 3s. 5d. at 5 1. per Cent.		108	10	2		
Balance in the Treasurer's Hands, due to the Province, ...		357	2	9½		
					£2,635	16 4½

That we have examined the Accounts of Judah Foulke, Collector of Excise for the City and County of Philadelphia, and find that he Credits the Province,

By the Balance of Account, settled with the Committee last Year, ...	£	494	10	1

By the Amount of Excise from 4th Mo. 1, 1747, to 4th Mo. 1, 1748, ...	1,613 13 8		
By Cash received of sundry Persons for Fines, as per List, ...	26 6 0		
		£2,134	9 9
That he Charges the Province with his Commissions on £1,639 19 8, at 5 per Cent, ...	£ 82 0 0		
To Cash paid Michael Lightfoot, Provincial Treasurer, at sundry Times, ...	1,369 3 6		
Balance due to the Province,	683 6 3		
		£2,134	9 9

That we have examined the Accounts of William Atkinson, Collector of Excise for the County of Bucks, and find that he Credits the Province,			
By the Balance of Accounts settled with the Committee last Year, ...	£ 78 11 0		
By the Amount of Excise from 4th Month 1st, 1747, to 4th Month 1st, 1748, ..	120 13 2		
		£	199 4 2
That he charges the Province with the following Articles,			
To Cash paid Michael Lightfoot, Provincial Treasurer, at sundry Times, ...	83 0 0		

Commissions at 10 per Cent, on 83 1		8	6	0			
Balance due the Province		107	18	2			
					£	199	4 2
That we have examined the Accounts of Jeremiah Star, Collector of Excise for the County of Chester, and find that he Credits the Province,							
By the Balance of Accounts, settled with the Committee last Year, ...		272	2	2			
By the Amount of Excise from 4th Mo. 1, 1747, to 4th Mo. 1, 1748, ...		257	6	0			
					£	529	8 2
That he Charges the Province with the following Articles,							
To Cash paid Michael Lightfoot, Profincial Treasurer, at sundry Times, ...		271	4	0			
To his Commissions, on 271 1. 4s. at 10 1. per Cent.		24	2	4			
Balance due to the Province		231	1	10			
					£	529	8 2
That we have examined the Accounts of Arthur Patterson, Collector of Excise for the County of Lancaster, and find that he Credits the Province,							
By the Balance of Account, settled with the Committee last Year, ...	£	6	12	6½			

By the Amount of Excise, from 4th Mo. 1, 1746, to 4th Mo. 1, 1748, is 2 Years,		350	17	4			
					£	357	9 10½
That he Charges the Province with the following Articles,							
To a bad Debt on Edward Edward's Excise, ...	£	2	0	0			
To Cash paid Michael Lightfoot, Provincial Treasurer, since the last Settlement, at sundry Times, ...		169	11	0			
Commissions on 169 l. 11s. at 10 l. per Cent, ...		16	19	1			
Balance due to the Province, ...		168	19	9½			
					£	357	9 10½

Submitted to the Correction of the House, 6th Month, 26, 1748, by

James Morris, John Owen,
Edward Warner, James Webb."
Abraham Chapman,

The Gentlemen, appointed to carry the Messages of the House to the President and Council, report, that they delivered the same to the President at his own House, who made no Objection to the proposed Time of Adjournment.

Then the several Orders for the Payment of the Members Wages, the Salaries of Officers, and other incidental Charges, being signed by the Speaker, by Order of the House;

The House adjourned to the Thirtieth Day of *September*.

INCIDENTAL CHARGES.

To *John Kinsey*, Esq; Chief Judge of the Supreme Court, ...	£	200	0	0
To *Thomas Graeme*, Esq; another of the Judges, ...		60	0	0
To *William Till*, Esq; another of the Judges, ..		60	0	0
To *Richard Patridge*, Esq; his Salary as Agent, £100 Sterling, ...		165	0	0

To the Members of the Assembly, for their Attendance,	278	17	0
To *Tench Francis*, Esq; Attorney General,	70	0	0
To *James Morris*, for 28 Days Attendance on the Committee of Accounts,	7	0	0
To *Edward Warner*, for 28 Days Ditto,	7	5	0
To *Abraham Chapman*, for 24 Days Ditto,	6	0	0
To *John Owen*, for 21 Days Ditto,	5	0	0
To *James Webb*, for 6 Days Ditto,	1	10	0
To *Richard Peters*, Esq; Secretary, his Salary as Clerk of the Council,	15	0	0
To Ditto, for other Services,	35	0	0
To *Benjamin Franklin*, as Clerk of the House, and for Maps, Expresses, and Postage of Letters, &c. in all	77	1	1
To *Samuel Kirk*, his Salary as Sergeant,	8	0	0
To *Thomas Burden*, Doorkeeper, for his Attendance on the Assembly and Council, and other Services,	13	0	0
To *Charles Stow*, Doorkeeper of the Council, and for serving of Summons, 117 Days, at 2s6 per Day,	14	12	6
To *Thomas James*, for Dieting and Nursing French Prisoners,	29	19	9
To *Mary Farrel*, for Dieting Ditto,	2	7	0
To *Hugh Roberts*, for Sundries, as per Account,	2	17	10
To Dr. *Richard Farmer*, for tending a wounded Indian, as per Bill,	2	10	0
To Dr. *Lloyd Zachary*, for tending sick Prisoners, as per Bill,	3	0	0
To *Dorcas Buchanan*, besides Ten Pounds Seventeen Shillings paid by the Treasurer, the Sum of	5	12	6
To *James Mather*, in full of his Account	19	3	10
To *David Coupland*, in full of Ditto,	21	0	0
To *George Wood*, in full of Ditto,	4	3	0
To *William Donaldson*, in full of Ditto,	6	17	0
To *John Rodolph*, in full of Ditto,	5	17	10
To *William Parker*, in full of Ditto,	5	0	2¼
To *Margaret Howes*, in full of Ditto,	5	5	0
To *James Sterret*, in full of Ditto,	6	10	0
To Dr. *Alexander Gandouit*,	10	10	0
To *John Clarys*, for Dieting a French Prisoner, &c.	4	4	0

To *Peter Robinson*, for Dieting, &c. of *George Procter*	9	6	3
To *Richard Peters*, Esq; for Money advanced on Account of the Public, and for Services in *Indian* Treaties, &c.	216	17	2½
To Ditto for the Balance due on the *Lancaster* Treaty	166	18	0
To sundry Persons for Goods, &c. furnished at the Indian *Treaty, viz.*			
To *William Allen*,	16	7	3
To *William Atwood*	14	12	10
To *Norris* and *Griffitts*,	6	8	0
To *Thomas Lawrence*,	41	17	0
To *Levy* and *Franks*,	70	2	0
To *Reese Meredith*,	60	0	0
To *William Till*,	18	0	0
To Dr. *Thomas Graeme*,	9	15	6
£	1,788	7	7¼

AT AN ASSEMBLY *HELD IN* PHILADELPHIA, *THE FOURTEENTH DAY OF OCTOBER*, ANNO DOMINI 1748

By the Returns of the Sheriffs of the respective Counties, it appears that the following Gentlemen were chosen to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania* for the Year ensuing, *viz.*

For *Philadelphia* County.	For *Bucks* County	For *Chester* County.
John Kinsey,	*Derick Hogeland*,	*Thomas Worth*,
Isaac Norris,	*Mahlon Kirkbride*,	*George Ashbridge*,
Owen Evans,	*Cephas Child*,	*Francis Yarnal*,
Hugh Evans,	*Joseph Hampton*,	*John Davis*,
Edward Warner,	*Abraham Chapman*,	*John Owen*,
Joseph Trotter,	*John Watson*,	*Joseph James*,
James Morris,	*George Logan*,	*Thomas Chandler*,
Oswald Peele.	*Richard Mitchel.*	*Joseph Gibbons.*

For *Philadelphia* City
Israel Pemberton, *Thomas Leech*, } Burgesses.

For *Lancaster* County
John Wright, *Arthur Patterson*, *James Webb*, *Peter Worral.*

And a Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this

Province, to the Choice of a Speaker, and JOHN KINSEY, ESQ; was unanimously chosen Speaker of this House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That *Owen Evans*, *Thomas Leech*, *Derick Hogeland*, *Thomas Worth* and *Arthur Patterson* wait upon the President and Council, and acquaint them, that a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker, and desire to know when the Board will be pleased to receive the House with their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the President and Council with the Message of Yesternight, report, that they delivered the same according to Order; and that the President was pleased to say, As soon as the Council was met, they would acquaint the House when they should be ready to receive them with their Speaker.

A Message from the President and Council, by the Secretary, *viz.*

Mr. *Speaker*,

The President and Council are now met, and ready to receive the House,

And the Secretary being withdrawn;

The Speaker first, and then the several Members of the House, took the Qualification, and subscribed the Declaration, by Law required to be taken and subscribed by the Members of Assembly.

Resolved, That *Benjamin Franklin* be Clerk to this House for the ensuing Year.

And he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirk* be Sergeant at Arms to this House for the ensuing Year.

Resolved, That *Thomas Burden* be Doorkeeper to this House for the ensuing Year.

Then the Speaker, with the whole House, waited on the President and Council.

And being returned,

The Speaker resumed the Chair, and reported, That he had, with the whole House, waited on the President and Council, and acquainted them, that the Representatives of the Freemen of this Province, being met in Pursuance of the Charter and Laws of this Province, had been pleased to make Choice of him for their Speaker; that the House had this Day taken

the Qualification by Law directed; and are ready to receive any Thing the President and Council may have to lay before them, tending to the Peace and Prosperity of the Province, in which the Concurrence of the House is necessary. To which the President and Council had been pleased to answer, They had something to lay before the House, which should be sent down by the Secretary.

The Secretary attending, was called in, and by Order of the President and Council laid before the House *Conrad Weiser's* Journal of his Proceedings with the *Indians* at *Ohio*, and *George Croghan's* Account of the Expences accruing thereupon.

The Secretary represented to the House, that he thinks himself underpaid for his Services of the last Year, in the Allowance made him by the last Assembly, and requested that this House would re-consider his Accounts; and then withdrew.

The Papers sent down by the President and Council were read.

Ordered, That the Sheriff of *Lancaster* County attend the House, and amend his Return of the Representatives chosen for that County.

A Petition from a Number of Freeholders and Electors of the County of *Bucks* was presented to the House and read, setting forth, that by the Testimony of sundry Freemen present at the Close of the late Election at *Newtown*, it appears that divers Matters relating thereto were transacted partially, illegally, and in direct Opposition to the Privileges granted and intended to the Freemen of this Province; whereby the real Choice of the People was eluded, and an undue Return made of some Persons as Representatives for the said County; and praying that the House would enquire into the same, and grant Redress. *Ordered to lie on the Table.*

A Petition for *John Hall*, of *Bristol*, in the County of *Bucks*, was presented to the House and read, setting forth, That he is credibly informed he was duly chosen at the last Election a Representative for the said County, but that near the Close of the Election a Quantity of Tickets were gathered up from off the Floor by the Coroner, and read as lawful Votes, whereby several Persons became higher than the Petitioner in Number of Votes, who before were far below him, and thereupon returned by the Sheriff as duly elected, the Petitioner being excluded: And as the Practice of allowing Votes to be genuine which were picked up from under the Table, and therefore cannot be proved such, may elude any Election, and deprive

the People of one of their most valuable Privileges, since it is so easy for ill-disposed Persons to convey a Quantity of Tickets there unobserved; the Petitioner prays, that the House would take the same into Consideration, and grant to the People, as well as the Petitioner, such Redress as shall seem meet. *Ordered to lie on the Table.*

Sundry Depositions, in Support of the said Petitions, were also read, and ordered to lie on the Table.

Resolved, That *Richard Patridge*, Esq; be Agent of this Province for the ensuing Year, at the Court of *Great Britain.*

Ordered, That *Thomas Leech* and *Israel Pemberton* be, with the Speaker, a Committee of Correspondence.

Ordered, That *Edward Warner*, *Oswald Peele*, *James Morris*, *Chephas Child*, *John Owen* and *James Webb* be a Committee to audit and settle the Accounts of the General Loan-Office, and other public Accounts, and to sink and destroy the old Bills of Credit received in exchange pursuant to the last Paper Money Acts: And they have Power to send for Persons, Papers and Records.

Ordered, That *Thomas Leech*, *Joseph Trotter*, *Joseph Hampton*, *George Ashbridge* and *Arthur Patterson* be a Committee of Aggrievances for the ensuing Year: And they have Power to send for Persons, Papers and Records.

Ordered, That the Minutes be printed, and that *Thomas Leech* and *Israel Pemberton* be a Committee to revise them before they are printed.

Ordered, That the Petitioners complaining of an undue Election and Return of some of the Representatives for the County of Bucks, serve the Sheriff and Inspectors at the late Election there with Copies of their Petitions, and the Affidavits accompanying them and give the said Sheriff and Inspectors Notice, to attend the House on the seventh of *November* next. And that the Complainants and their Witnesses attend at the same Time.

Resolved, That the House will this Day adjourn to the seventh Day of *November next.*

Ordered, That *Joseph Trotter*, and *James Morris*, wait on the President and Council, and acquaint them, that the House intends to adjourn this Day to the seventh of November next, if they have no Objection to that Time.

The Gentlemen return and report, that they have been to the Council Chambers and that the Council is not Sitting.

Ordered, That the same Gentlemen acquaint the President and Council with the Time of Adjournment.

Then the House adjourned to the seventh Day of *November* next.

The House met pursuant to their adjournment.

Mahlon Kirkbride, returned a Representative for the County of *Bucks*, appeared in the House, and took and subscribed the Qualification by Law appointed to be taken by the Members of Assembly, and then took his Place in the House accordingly.

Ordered, That *Joseph Trotter* and *Edward Warner* wait upon the President and Council, and acquaint them, that the House is met pursuant to their Adjournment, and ready to receive any Thing they may have to lay before the House.

Two Petitions from a Number of Freeholders and Electors of the County of *Bucks*, complaining of an undue Election and Return of some Persons as Representatives for that County, were presented to the House, and read.

And the Order of the Day being read,

Ordered, That the Matter of the several Petitions presented to this House, complaining of an undue Election and Return of Representatives for the County of *Bucks*, be heard at the Bar of this House To-morrow Morning at Ten o'Clock.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed Yesternight to wait on the President and Council with the Message of the House, report, that they deilvered the same according to Order.

John Watson, returned a Representative for the County of *Bucks*, appeared in the House, and took and subscribed the Qualification by Law required to be taken by the Members of Assembly, and then took his Seat in the House accordingly.

The Sheriff of *Lancaster* attending, according to the Order of the House, was called in, and amended his Return, by erasing the Word, *Five*, and inserting the Word *Eight*, in the Date of the Year of our Lord, and then withdrew.

The President and Council sent down a verbal Message by the Secretary, acquainting the House, that the young Man of *Carolina*, who had been taken Prisoner by the Indians on the Borders of that Province, and whose Liberty was procured by *Conrad Weiser*, Interpreter to this Government, at the late Treaty at *Ohio*, is now come to Town, in order to go to *Carolina* in the Man of War; but is in Want of Clothing, and all other Necessaries; and therefore recommending it to the House

to order him to be supplied with the same. *Referred to further Consideration.*

The House being informed, that the Petitioners, complaining of an undue Election and Return of some of the Representatives of Bucks County, were attending, together with the Sheriff and Coroner, and the Inspectors of the Election; they were called in, and acquainted that the House would hear the Merits of the said Election and Return this Afternoon; and that the Parties had Leave to be heard by Counsel, if they thought fit.

Then the House adjourned to Three o'Clock in the Afternoon.

The House proceeded to the Hearing of the Matters contained in the several Petitions complaining of an undue Election and Return for the County of *Bucks*.

And the Parties, with their Counsel, being called in:

The Counsel for the Petitioners was heard, and examined several Witnesses, in order to prove, that towards the Close of the Election, a Number of Tickets, which did not appear folded up like those delivered in by the Electors, but much Rumpled, were taken up from off the Floor, by the Coroner, and put among the remaining genuine Tickets; that the Floor had but just before been inspected, and no Tickets were then lying there; that the Reading of those Tickets so picked up, was opposed by some of the Electors; but that they were nevertheless read; that immediately before they were read, the Tallies were counted, and that *John Hall, Mark Watson* and *Richard Walker* had then more Votes than *Abraham Chapman, John Watson*, or *Richard Mitchell;* particularly that *John Hall* had about twenty Votes more than either of them.

Then the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Matters of the several Petitions, complaining of an undue Election for the County of *Bucks*, be adjourned till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House met, and adjourned to Ten o'Clock To-morrow Morning.

The House proceeded to the further Hearing of the Matters of the several Petitions complaining of an undue Election and Return for the County of *Bucks*.

And the Parties, being called in,

The Counsel for the Petitioners examined several other Witnesses in further Support of the Petitions; and having gone through their Evidence; it was

Ordered, That the further Hearing of the Merits of the said Return, be adjourned to the Afternoon.

Then the House adjourned to Three o'Clock in the Afternoon.

The House proceeded to the further Hearing of the Merits of the Election and Return of several Representatives for *Bucks* County.

And the Parties being called in:

The Counsel for the Sheriff and other Judges of the Election was heard, and examined several Witnesses, in order to prove: That the Back-part of the Drawer, in which the Tickets received from the Voters were usually put, did not shut close to the Table; That, when the said Drawer became crowded full of Tickets, some were apt to get over, through the Vacancy, and fall to the Ground; That this had been the Case in several preceeding Elections; That at the same Election several Tickets also fell out of the Drawer, in which the Names of those chosen for Assessors were put, concerning which there is no Suspicion of Fraud; That the Assessors Tickets taken up from under the Table, were some open, and some rumpled, in the same Manner with those for Assemblymen; and that the latter appeared to be, and were judged by most of the Inspectors to be genuine Tickets; That on Inspection they appeared to be promiscuous Tickets, containing the Names of the different Candidates pretty equally divided, which was also observed in the Reading of them.

Then the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Merits of the *Bucks* County Election and Return be adjourned till the next Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House proceeded to the further Hearing of the Merits of the Return of several Representatives for *Bucks* County.

And the Parties being called in;

The Counsel for the Sheriff, &c. proceeded in their Evidence, and examined several Witnesses, in further Support of the Return.

Then the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Merits of the *Bucks* County Return be adjourned till the Afternoon.

Then the House adjourned till Three o'Clock in the Afternoon.

The House proceeded to the further Hearing of the Merits of the Return for *Bucks* County.

And the Parties being called in;

The Counsel for the Sheriff and Inspectors proceeded in their Evidence, and examined several other Witnesses, in further Support of the Return. And proposing to examine John Chapman, Coroner of the said County, as another Witness; the same was opposed by the Counsel for the Petitioners; who alleged that the said Chapman was the Person who found the disputed Tickets under the Table, and was suspected to have conveyed them thither. Whereupon

The Parties were ordered to withdraw.

And the Members, whose Election is controverted, were also ordered to withdraw.

And, after some Consideration and Debate concerning the Evidence of the said *John Chapman*, whether it ought to be received in this Case;

Resolved, That the said *Chapman* be examined before the House.

Then the withdrawn Members were called in.

And the Parties were called in.

Then the Counsel for the Sheriff and Inspectors examined *John Chapman*, in further Support of the Return.

And the List of the Electors, and Papers on which the Votes were tallied by the Clerks, being delivered at the Table by the Sheriff, who, with the Clerks, took their respective Qualifications, that the same were genuine:

The Parties were ordered to withdraw.

The further Consideration of the Merits of the said Election was adjourned till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House, according to the Order of the Day, proceeded to the further Consideration of the Merits of the *Bucks* County Election: And, after some Debate,

Resolved, That the House will this Afternoon proceed to determine concerning the Election in Dispute, on the Evidence now before them.

Then the House adjourned to Three o'Clock, P. M.

Ordered, That the Treasurer provide Clothing and other Necessaries for the Prisoner redeemed from the *Indians*, that he may be sent home to *Carolina*.

The House resumed the Consideration of the Affair of the Election in *Bucks* County; and the Members whose Election was controverted being withdrawn, the Question, after long Debate, was put,

That the Speaker send his Warrant to the Secretary, to issue a Writ to the Sheriff of *Bucks* County, directing the Election of a Representative for that County, in the Room of *Richard Mitchel, Past in the Negative.*

Then the Question was put, That the Speaker send his Warrant to the Secretary, to issue a Writ to the Sheriff of *Bucks* County, directing the Election of a Representative for that County, in the Room of *John Watson?* Past in the Negative.

Then the Question was put, That the Speaker send his Warrant to the Secretary, to issue a Writ to the Sheriff of *Bucks* County directing the Election of a Representative for that County, in the Room of Abraham Chapman? *Past in the Negative.*

Then the said Members were called in, and took their Places in the House.

Resolved, That the House will this Day adjourn to the first second Day in the 11th Month next.

Ordered, That *Edward Warner* and *James Morris* wait upon the President and Council, and acquaint them, that the House intends to adjourn this Day to the first second Day in the next 11th Month.

The Gentlemen return and report, that they have been to the Council Chamber, and the Council are not sitting.

Ordered, That they acquaint the President, as soon as conveniently may be, with the Time of Adjournment.

Then the House adjourned to the first 2d Day in the next 11th Month.

The House met pursuant to their Adjournment.

Ordered, That *Isaac Norris, Israel Pemberton, Mahlon Kirkbride, Thomas Worth* and *James Webb* wait upon the Governor, and acquaint him, that the House is met in order to proceed upon the Business of the Year; and that, if he hath any Thing to lay before them, they are ready to receive it.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same According to Order; and that the Governor was pleased to require the Attendance of the House this Day at Twelve o'Clock in the Council Chamber.

A Message from the Governor, by the Secretary, viz.

Mr. Speaker,

The Governor requires the Attendance of the House in the Council Chamber immediately.

Then the Speaker with the whole House waited on the Governor.

And being returned,

The Speaker resumed the Chair, and reported, That the House had waited on the Governor in the Council Chambers, and that the Governor had been pleased to make a Speech to the House, a Copy of which had been delivered to the Speaker;

And the same being read, follows in these Words, *viz.*

Mr. Speaker, *and* Gentlemen *of the Assembly,*

"I Should have called you together immediately after my Arrival, if I had either observed, or been informed, His Majesty's Interest, or that of the Country, required it; but as no Necessity of that kind appeared, I forebore to give you the Trouble of meeting in Assembly before the Time yourselves had appointed for the Dispatch of public Business.

It is with great Pleasure I now see you met in your legislative Capacity, and very gladly embrace the Opportunity it affords me of signifying to you, by the express Command of the honourable Proprietaries, the great Affection they bear to the Inhabitants of this Province; the earnest Desire they have to preserve Peace and Concord among them; and the particular Satisfaction they receive by their Welfare and Prosperity; and as I know them to be perfectly sincere in their Professions, I have not the least Apprehension but they will meet with suitable Returns of Gratitude from you,

Having been for some Time absent, it cannot be presumed the Condition and Circumstances of the Country are so well known to me, as to Gentlemen who have constantly resided on the Spot, and who being the Representative Body of the People, are to be supposed best acquainted with their real Wants and Expectations: Wherefore, I shall for the present decline laying any Thing before you on my Part; at the same Time I very sincerely assure you, that whatever Bills you shall judge proper to present for my Approbation, shall be favourably

received, and considered with Attention; and where they shall appear to be, as I doubt not they will, for the general Utility of the People, and not inconsistant with the Duty I owe to his Majesty, or the Rights of the honourable Proprietaries, they shall be sure to receive my most speedy and hearty Concurrence.

With respect to myself, I have little to say: It is now a long Time that I have been personally known to most of you; and from thence you are much better able to form a Judgment of my Regard for your Liberties, both Civil and Religious, than by any Thing I can say in my own Behalf: One Circumstance, however, you will give me Leave to take Notice of, as it is, in my Opinion, no unfavourable one to the People you represent: That having myself a considerable Stake in the Province, it is really my Interest, as well as Inclination, to support them in the Enjoyment of all their just Rights and Privileges; since, whenever the Time shall come in which I shall cease to be their Governor, and return to a private Station, I shall find myself, my Family and Friends, equally affected with every other Person, by any Injury the Constitution may suffer under my Administration.

I shall conclude what I have to say at this Time with entreating you, that all Transactions between us may be carried on with Candour and Moderation, as the most effectual Means of avoiding disagreeable Animosities, and uniting us in the strict Bands of Friendship and mutual Confidence, so necessary for the public Good. This is what I will endeavour by every Method in my Power; and I have no Reason to doubt that you, Gentlemen, are now come together with like Sentiments and Inclinations."

The Governor's Speech was again read, Paragraph by Paragraph, and considered;

Ordered, That *Isaac Norris*, *Thomas Leech*, *Israel Pemberton*, *Abraham Chapman*, *Francis Yarnal* and *Peter Worral* be a Committee to prepare a Draught of an Address in Answer to the same, and report it to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to prepare a Draught of an Address in Answer to the Governor's Speech, reported the same to the House, and it was read by order, and approved of, and ordered to be transcribed.

A Petition from a great Number of the Inhabitants of the City of *Philadelphia*, setting forth the Loss suffered in their

daily Dealings for Want of small Change, and praying a Remedy; was presented to the House, and read, and

Ordered to lie on the Table.

Then the House adjourned to Three o'Clock, P. M.

The Address to the Governor being transcribed, according to the Order of the House, was again read, and follows in these Words, *viz.*

May it please the Governor,

We heartily congratulate the Governor on his Accession to the Government of this Province, and safe Arrival amongst us: And we return him our sincere Thanks for his favourable Speech at the Opening of this Session, and for the Regard he hath been pleased to shew us, in forbearing to call us together before the Time we had appointed for the Dispatch of public Business.

The great Affection our honourable Proprietaries are pleased to express "to the Inhabitants of this Province," their Desires "to preserve Peace and Concord amongst them," and "the particular Satisfaction they receive from their Welfare and Prosperity" justly merit those grateful Returns, which we are persuaded they will ever receive from the Freeman of *Pennsylvania.*

Though the Governor has been some Time absent, yet his former long Acquaintance and thorough Knowledge of the public Affairs of the Province, joined with his distinguished Abilities, render him a very competent Judge of the Bills which shall be presented to him, in order to be past into Laws. Such only we are determined to offer, as shall appear to us to be for the general Utility of the People, and consistent with the Duty we all owe to the King, as well as with a due Regard "to the Rights of the honourable the Proprietaries;" and we gratefully acknowledge the Obligation we are laid under in the Assurance the Governor is pleased to give us, that such "shall be sure to receive his most speedy and hearty Concurrence."

The Fidelity, Impartiality and Justice, with which the Governor lately acquitted himself in the principal and most honourable Office within this City, as well as on other Occasions, leave us no Room to doubt "his Regard to our Liberties, both Civil and Religious." And it merits our particular Acknowledgements to the honourable the Proprietaries, that they have been pleased to confer the Government on a Gentleman of so considerable an Estate among us; whose "Interest," we know

it is, and whose "Inclination" we believe it to be, to support the People of this Province, "in the Enjoyment of their just Rights and Privileges."

We shall chearfully pursue the Steps the Governor is pleased to point out to us, of carrying on "with Candour and Moderation, Transactions between us;" and on our Part endeavour, not only to maintain "the strict Bonds of Friendship and mutual Confidence, necessary for the public Good, but to shew the just Regard we entertain for the Government, by making an honourable Provision for its Support."

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor, and desire to know when he will be pleased to receive the House, that they may present their Address.

Resolved, That a Present of *Six Hundred Pounds* be at this Time given to the Governor.

A Petition from a Number of Inhabitants of *Chester* County, setting forth the Mischief done to the Corn by the great Increase of Squirrels, and praying that an Act may be made to encourage the Killing of them, was presented to the House, and read, and *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would receive the House this Day at Twelve o'Clock in the Council Chamber.

An Order being drawn for the Payment of *Six Hundred Pounds* to the Governor, was signed by the Speaker, by Order of the House.

The engrossed Address to the Governor was signed by the Speaker, by Order of the House.

Then the House being informed that the Governor and Council were met, the Speaker with the whole House waited upon the Governor.

And being returned,

The Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Order on the Treasurer for *Six Hundred Pounds*, together with their Address, to which the Governor had been pleased to make the following answer, *viz.*

GENTLEMEN,

'I Heartily thank you for this kind and affectionate Address. The favourable Sentiments you are pleased to entertain of me, give me a particular Pleasure; as by an Harmony between the several Parts of the Legislature, we shall be the better able to recommend ourselves to his Majesty, give Satisfaction to the Proprietaries, and consult the true Interest of the People.

'The Present you have, in so handsome a Manner, now made me, previous to our entering upon Business, is a Mark of Confidence, which I trust you will find not ill placed; since I think myself, by this Confidence, laid under the strongest Obligations of exerting my best Endeavours for the Service of the Province."

Then the House adjourned to Three o'Clock in the Afternoon.

A Petition of sundry Inhabitants of *Philadelphia* County, setting forth the Inconveniences arising by the great Numbers of Horses brought into this Province from *New England*, and praying a Stop may be put to that Trade, &c. was presented to the House, and read, and *Ordered to lie on the Table.*

A Petition from the Commissioners of the County of *Chester*, praying, for the Reasons therein mentioned, an Alteration in the Law concerning the Allowance made the Owners of Lands through which Roads are laid; was presented to the House, and read, and *Ordered to lie on the Table.*

The Petition of the Inhabitants of *Philadelphia, relating* to small Money for Change was again read, and referred to further Consideration To-morrow Morning.

The Petition for a law to encourage the Killing of Squirrels, was again read, and referred to futher Consideration.

Then the House adjourned to Ten o'clock To-morrow Morning.

The Petition against the Bringing in of Horses from New-England, &c. was again read, and referred to further Consideration.

Ordered, That the Superintendants of the State-house provide Screens and Curtains for the Assembly Room.

Then the House adjourned to Three o'clock, P. M.

The Petition from the Commissioners of *Chester* County, relating to Roads, &c. was again read, and referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Petition relating to small Money for Change, was again read, and considered, and after some Debate,

Ordered, That *Isaac Norris*, *Thomas Leech*, *Abraham Chapman*, *Thomas Worth* and *Arthur Patterson* be a Committee to prepare and bring in a Bill for making an Addition of *Twenty Thousand Pounds* to our Paper-Currency, Part thereof in small Bills.

Ordered, That *Edward Warner*, *Israel Pemberton*, *Cephas Child*, *John Owen* and *Peter Worral* be a Committee to revise the Act for settling Intestates Estates.

Ordered, That *James Morris*, *Joseph Trotter* and *Oswald Peele* be a Committee to revise the Acts relating to the Poor, that are now in Force, and to bring in a Bill for amending the same.

Then the House adjourned to the next Second-day, at Three o'Clock, P. M.

The House met, and adjourned to Ten o'Clock To-morrow Morning.

A Bill for the new Appointment of Trustees of the General Loan-Office of *Pennsylvania*, and for the making current *Five Thousand Pounds* in new Bills of Credit, to exchange such of those, now by Law current, as are torn and defaced, was read the first time, and ordered a second Reading.

The Petition for a Law to encourage the Killing of Squirrels, was again read.

Ordered, That *John Owen*, *Owen Evans* and *Abraham Chapman* be a Committee to prepare and bring in a Bill for that Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from a Number of Inhabitants of *Bucks* County, praying, for the Reasons therein mentioned, that a Bounty may be given for the Killing of Squirrels, was read, and *Ordered to lie on the Table.*

A Petition of the Inhabitants of *Gwynedd* and *Montgomery*, in the County of *Philadelphia*, setting forth, that the Bringing in of Horses from other Provinces to sell, is a Discouragement to the Farmers of this Province, who would raise valuable Horses for Sale; and that many Horses are lost, supposed to be driven away by the Jockeys travelling through the Country; and praying that the House would consider the Premises, and take proper Measures for the Relief of the Inhabitants therein;

was presented to the House, and read, and *Ordered to lie on the Table.*

Ordered, that *Edward Warner* be added to the Committee appointed to bring in a Bill for amending the Laws relating to the Poor.

An Account from *James Whitehead*, Keeper of the Workhouse, amounting to *Two Pounds Eighteen Shillings*, for maintaining *French* Prisoners, was presented to the House, and read.

Ordered, That *Edward Warner* and *Oswald Peele* inspect the said Account, and report what may be fit for the House to do therein.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from *Conrad Weiser*, praying to be appointed a Trustee of the Loan-Office for the County of *Lancaster*, was read and *Ordered to lie on the Table.*

A Petition from a great Number of the Inhabitants of *Lancaster* County, on the West-side of the River *Sasquehannah*, setting forth, that they labour under very great Difficulties on Account of their distant Situation from the County Town, where the Courts are held, and Justice is distributed, the River also intervening, which at some Times cannot be passed for many Days; that Prosecutions are discouraged by the Expence and Loss of Time attending them, and wicked and disorderly Persons, who resort to the remote Parts of the Province, are encouraged to commit Thefts and other Crimes, from the greater Prospect of escaping Justice; that the Tract of Land lying on the West-side of *Sasquehannah*, and between the *South Mountain* and *Maryland*, is now well inhabited, and of sufficient Extent for a County, and the People able and willing to bear the Charge; and therefore praying that the said Tract of Land may be divided from the County of Lancaster, and erected into a new County; was presented to the House, and read, and *Ordered to lie on the Table.*

A Bill for amending the Laws relating to the Partitition and Distribution of Intestates Estates, and concerning the Probate of Wills, was brought in, and read the first time, and ordered a second Reading.

A Bill to encourage the Killing of Squirrels within this Province, was read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Bill for amending the Laws relating to the Poor, and for the better Appointment of Overseers of the Poor within the City of *Philadelphia*, was read the first time, and ordered a second Reading.

The Bill to encourage the Killing of Squirrels within this Province, was read a second time, and the farther Consideration thereof referred to the afternoon.

Then the House adjourned to Four o'Clock in the Afternoon.

The House proceeded in considering the Bill to encourage the Killing of Squirrels within this Province, and the same being read Paragraph by Paragraph, and debated, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Petition from the Inhabitants on the West-side of Sasquehannah, praying that the Tract of land between the *South Mountain* and *Maryland* may be erected into a new County, was again read.

Ordered, That the Petitioners have Leave to be heard by themselves, or any other Person in their behalf, in Support of their Petition, on *Fifth-day* next, at Ten o'Clock in the Morning.

Then the House adjourned to the next *Second-day*, at Three o'Clock, P. M.

The House met according to their adjournment.

An Account from *Conrad Weiser*, for his Services and Expences in *Indian* Affairs, was laid before the House, and read, and referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Conrad Weiser's Account was again read.

An Account of *Morris Brennan*, for Service done at the *Indian* Treaty at *Lancaster*, was laid before the House, and read;

Ordered, That the Committee of Public Accounts inspect the said Accounts, and report thereon to the House; and that *Isaac Norris* be added to the Committee on this Affair.

The Committee appointed to examine *James Whitehead's* Account, report it as their Opinion that the same be allowed, which the House agreed to, and an Order was directed to be drawn on the Treasurer for the Payment.

The Bill for amending the Laws relating to the Poor, and for the better Appointment of Overseers of the Poor within the City of *Philadelphia*, was read a second time, and committed to the Committee who brought in the same, for Amendments.

Then the House adjourned to Three o'Clock, P. M.

A Petition from the Commissioners and Assessors of the County of *Philadelphia* setting forth, that the Court-house, Prison and Work-house of the said County, being built and kept in Repair at the Charge of the County, they are of Opinion that all Profits or yearly Incomes arising from the said Houses, should be appropriated for the Use of the County; that they are also of Opinion, Persons of good Repute may be found, who would give a yearly Rent for the Work-house, as the Perquisites and Profits of Labour arising from the House may well afford; And that it is reasonable the Vendue-Master should pay the County a Rent, for the Use he makes of the Court-house twice a Week. But as the Petitioners conceive no Person is authorized to set to Rent the said public Buildings, or receive such Rents, they pray the House would take the same into Consideration, and do therein as to them shall seem meet; farther praying, that some Provision may be made to prevent the Cake-Women taking up the Room of the Market on Market-days, by setting up their Stalls therein before the Market is over; was presented to the House, and read, and *Ordered to lie on the Table.*

Some of the Petitioners for a new County on the Westside of *Sasquehannah* attending, were called in, and gave the House an Account of the Settlements and Inhabitants on the Tract of Land requested to be erected into a County; and having answered such Questions, as were asked of them for the Satisfaction of the House, they withdrew; and the further Consideration of that Petition was adjourned until To-morrow.

A Bill for amending the Laws relating to the Partition and Distribution of Intestates Estates, and concerning the Probate of Wills, was read, and ordered a second Reading.

A Petition from a Number of Inhabitants of the City and County of *Philadelphia*, setting forth, that sundry Lands and real Estates in this Province have been entailed, and particularly some very valuable Lots in this City; that the Tenants for Life are very much discouraged from improving, as they must, among other Inconveniences, thereby injure their younger Children; and where the Ancestor has made and left good Buildings, their Ruin and Decay has often been occasioned by the Entail, that great Losses have happened to the inhabi-

tants by giving Credit to a Man in Possession of an entailed Estate, such Estates here affording seldom more than a Maintenance, and often not so much; and on the Decease of the Tenant for Life, all his Debts, some even for the Improvement of the Estate, have been and are still liable to be entirely lost; that in a young Country all Encouragements should, the Petitioners conceive, be given, to induce the Inhabitants to improve their Estates; but that Entails are great Checks to the Growth of both Provinces and Cities; and have often been the Means of making elder Children undutiful, and leaving the younger without Portions; that, though some Attempts have been made here to dock Entails, which the Petitioners are informed have been effectual, yet they have been attended with great Expence, and after all the Title has not been generally satisfactory to the People; therefore praying, that the House would take the Premises into Consideration, and provide such Remedy as to their Wisdom shall seem meet; was presented to the House, and read, and *Ordered to lie on the Table.*

The Committee of Public Accounts report, that they have examined the Accounts of Conrad Weiser and Morris Brennan, and are of Opinion they should be paid.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from sundry Inhabitants of *Bucks* County, setting forth, that the great Quantities of Cattle yearly driven into this Province from the Southern Governments, fill our Markets with Beef, which not being good, hurts the Credit of our Trade in that Article, and at the same Time lowers the Value, and prevents the Sale of Cattle raised by the Inhabitants; that the Numbers of Horses yearly brought from *New-England* into this Province by Traders in that Way, who buy up and take away large Quantities of our Deer-Skins and Furs in Return, both prevents the Sale, and sinks the Value of Horses raised here, and enhances the Prices of Skins, &c. to the Grievance of the People: And therefore praying the House would take the same into Consideration, and provide a Remedy; was presented to the House, and read, and *Ordered to lie on the Table.*

Resolved, That an Order issue under the Hand of the Speaker, for the Payment of *One Hundred and Thirty-three Pounds Two Shillings* to *Conrad Weiser*, in full of his Account, and for his Services to the Public to this Day.

The House resumed the Consideration of the Petition for a new County on the Westside of *Sasquehannah*, and after some Debate thereupon,

Resolved, That Leave be given to the Petitioners to bring in a Bill for the Purpose of their Petition, at the next Session; and that if any others of *Lancaster* County are against the Division of that County, they have Leave to be then heard.

Then the House adjourned to Three o'Clock, P. M.

Orders being drawn on the Treasurer for the Payment of *Conrad Weiser's* Account, *One Hundred Thirty-three Pounds Two Shillings; Morris Brennan's*, *One Pound Four Shillings;* and *James Whitehead's Three Pounds Six Shillings;* they were signed by the Speaker, by Order of the House.

The Bill for the new Appointment of Trustees of the General Loan-Office of *Pennsylvania*, and for the making current *Five Thousand Pounds* in new Bills of Credit, to exchange such of those, now by Law current, as are torn and defaced, was read a second time, and the further Consideration thereof adjourned till To-morrow Morning.

Ordered, That the same Committee, who brought in the above Bill, do also prepare and bring in a Bill for making current *Twenty Thousand Pounds* in Bills of Credit, to be emitted upon Loan.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Petition against Entails was again read, and debated, and after some Time Spent therein, the farther Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock P. M.

The Bill for amending the Laws relating to the Partition and Distribution of Intestates Estates, and concerning the Probate of Wills, was read a second time, and after some Time spent therein, the further Consideration thereof was adjourned till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House proceeded in reading and considering the Bill for amending the Laws relating to the Partition and Distribution of Intestate Estates, and concerning the Probate of Wills; and after some Time spent therein, it was ordered to be engrossed for a third Reading.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Bill for the new Appointment of Trustees of the General Loan-Office of *Pennsylvania*, and for making current *Five Thousand Pounds*

in new Bills of Credit, to exchange such of those now by Law current, as are torn and defaced;

Resolved, That the Salaries of the Trustees be lowered.

Resolved, That the Salaries of the Trustees of the General Loan Office be *One Hundred Pounds*, each.

Resolved, That the highest Denomination of Bills to be struck by this Act, be *Nine-pence*.

Resolved, That *John Kinsey* be one of the Trustees of the General Loan-Office nominated in the Bill.

Resolved, that *James Morris* be nominated in the Bill, another Trustee of the General Loan-Office.

Resolved, That *Abraham Chapman* be nominated in the Bill, another Trustee of the General Loan-Office.

Resolved, That *Francis Yarnal* be nominated in the Bill, another Trustee of the General Loan-Office.

Resolved, That *James Wright* be nominated in the Bill, another Trustee of the General Loan-Office.

Resolved, That the Sum of *Fifteen Shillings* be allowed per Thousand Bills, for Signing the same.

Resolved, That there be five Persons appointed to sign and number the said Bills.

And the further Consideration of the Bill was adjourned till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House resumed the Consideration of the Bill for the new Appointment of Trustees of the General Loan-Office of *Pennsylvania*, and for the making current *Five Thousand Pounds* in new Bills of Credit, to exchange such of those, now by Law current, as are town and defaced.

Resolved, That the Time for the Commencement of the Trust of the new Trustees be the Sixteenth Day of *May* next.

Resolved, That *John Jervis* be one of the Signers of the new Bills of Credit.

Resolved, that *William Trotter* be another of the Signers of the new Bills.

Resolved, That *Joseph Hamton* be another Signer of the new Bills.

Resolved, That *John Davis* be another Signer of the new Bills.

Resolved, That *James Webb* be another Signer of the Bills to be struck by this Act.

Resolved, That only one Signer sign each Bill.

Resolved, That the Bill do pass.

Ordered, That *James Morris* and *Abraham Chapman* carry up the same to the Governor, and desire his Concurrence thereto.

Then the House adjourned to the next *Second-day*, at Three o'Clock, P. M.

The House met according to their Adjournment.

The Gentlemen appointed to carry up the Bill for a new Appointment of Trustees of the General Loan-Office of *Pennsylvania*, and for making current *Five Thousand Pounds* in new Bills of Credit, to exchange such of those, now by Law current, as are torn and defaced, to the Governor, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would consider it, and give it what Dispatch he could.

George Croghan's Account was again read, and referred to the Committee of Public Accounts, who are to inspect the same, and report thereon to the House.

The Bill for amending the Laws relating to the Partition and Distribution of Intestates Estates, and concerning the Probate of Wills, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Israel Pemberton* and *Thomas Leech* carry up the same to the Governor, and desire his Concurrence thereto.

Then the House adjourned to Three o'Clock, P. M.

The Gentlemen appointed to carry the Bill up to the Governor, report, that they deliverd the same according to Order, and that the Governor was pleased to say, he would give it all the Dispatch he could.

The Petitions of the Commissioners and Assessors of *Philadelphia* County, relating to the Public Buildings of the said County, was again read, and considered;

Ordered, That the Petitioners lay before the House the Deeds of Purchase of the Ground on which the Work-house and Prison are built.

The Petition from *Bucks* County against the Bringing in of Cattle and Horses from other Colonies, was read a second time;

Ordered, That *Owen Evans*, *Thomas Leech*, *George Ashbridge*, *Cephas Child* and *Arthur Patterson* be a Committee to prepare and bring in a Bill to regulate Horse-Jockeys, and prevent the Stealing of Horses.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Bill for making current *Twenty Thousand Pounds* in Bills of Credit, to be emitted upon Loan, was brought into the House, and read the first time, and ordered a second Reading.

Upon a Motion made in Behalf of the former Trustees, it was

Ordered, That the Bonds given by *Jonathan Robeson*, *Joseph Kirkbride* and *Caleb Copeland*, former Trustees of the General Loan-Office, for the due Execution of that Trust, be delivered up.

An Account from *Joseph Scull*, Keeper of the Goal of *Philadelphia*, for the Diet of sundry Prisoners, amounting to *Thirteen Pounds Seven Shillings* and *Eight-pence*, was laid before the House and read.

Then the House adjourned to Three o'Clock, P. M.

The engrossed Bill to encourage the Killing of Squirrels within this Province was read the third time.

Resolved, That the Bill do pass.

A Petition from a Number of the Inhabitants of *Chester* County, complaining of the excessive Charges arising from the Mileage allowed to Constables, and praying that the House would remedy the same; was read, and *Ordered to lie on the Table.*

The Governor, by his Secretary, sent down the Bill for a new Appointment of Trustees of the General Loan-Office of *Pennsylvania*, and for the making current *Five Thousand Pounds*, in new Bills of Credit, to exchange such of those, now by Law current, as are torn and defaced, without Amendment; with a Message, that he was ready to enact it into a Law, when it should be presented to him for that Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for amending the Laws relating to the Poor, &c. was again read, and the further Consideration thereof referred to the Afternoon.

A Petition of *Samuel Robeson*, of the City of *Philadelphia*, was presented to the House, and read, setting forth, That the Business of Distilling Spirits from Grain, Peaches, &c. hath of late very much increased in this Province; but the said Spirits being observed to have some unwholesome Qualities when distilled through Copper Worms, the Petitioner had been prevailed on to study and find out a Method of mak-

ing Pewter Worms, such as are used in *England*, in which he has succeeded; but the Custom of making Copper Worms so generally prevails, that he doth not find sufficient Encouragement to continue the Business; and therefore praying the House would take such Measures as well for securing the Health of the People, as for the Encouragement of the Petitioner, as to their Wisdom shall seem meet. *Ordered to lie on the Table.*

A Certificate from the principal Physicians in and near *Philadelphia*, expressing their Opinion, that the Use of Copper Worms in Distilling of Spirits, might communicate some Qualities to the Spirits prejudicial to the Health of those that drink them; was laid before the House with the above Petition, and read.

Then the House adjourned to Three o'Clock, P. M.

The Bill for making current *Twenty Thousand Pounds* in Bills of Credit, &c. was read a second time, and debated.

Ordered, That the Bill be engrossed for a Third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House resumed the Consideration of the Bill for amending the Laws relating to the Poor, &c. and several Amendments proposed in the House being agreed to,

Ordered, That the Bill be engrossed for a third Reading.

Then the House adjourned to Three o'Clock, P. M.

The engrossed Bill for making current *Twenty Thousand Pounds* &c. was read the third time.

Resolved, That the Bill do pass.

Ordered, That *John Owen* and *Cephas Child* carry up the same, together with the Bill to encourage the Killing of Squirrels within this Province, to the Governor, and desire his Concurrence thereto.

The Petition from *Samuel Robeson*, relating to Copperworms, was again read, and referred to further Consideration at the next Sitting.

The Petition from the Commissioners of *Chester* County, relating to Roads; and

The Petition from *Chester* County, relating to the Mileage allowed Constables; were again read, and referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed Yesterday to carry up the Bills to the Governor, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would

take them into Consideration, and give them all the Dispatch he could.

A Bill to regulate Horse-Jockeys and Dealers in Horses; and to prevent the Bringing into this Province for Sale, such as are small, unsizeable or unsound; was read the first time. and ordered a second Reading.

The engrossed Bill for amending the Laws relating to the Poor, &c. was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Edward Warner* and *Joseph Trotter* carry up the same to the Governor and desire his Concurrence.

Then the House adjourned to the next *Second-day*, at Three o'Clock, P. M.

The House met pursuant to their Adjournment.

The Gentlemen appointed to carry up the Bill for amending the Laws relating to the Poor, &c. report, that they delivered the same to the Governor according to Order, and that the Governor was pleased to say, he would consider it.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Trustees of the *Province Island* laid before the House some Proposals of *John Bleakley* to purchase that Island, which were read.

The Bill for regulating Horse-Jockeys and Dealers in Horses, and to prevent the Bringing into this Province for Sale, such as are small, unsizeable, or unsound, was read a second time, and considered; and the further Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The House proceeded in the Consideration of the Bill for regulating Horse-Jockeys and Dealers in Horses, and to prevent the Bringing into this Province for Sale, such as are small, unsizeable, or unsound; and after some Debate, it was ordered to be engrossed for a third Reading.

The House resumed the Consideration of the Petition relating to Entails;

Ordered, That *Isaac Norris*, *Thomas Leech*, *John Owen*, *Mahlon Kirkbride* and *Arthur Patterson* be a Committee to prepare and bring in a Bill at the next Sitting of the House, for the Purposes in that Petition mentioned.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The engrossed Bill for regulating Horse-Jockeys and Dealers in Horses, and to prevent the Bringing into this Province for Sale, such as are small, unsizeable, or unsound, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Owen Evans* and *Mahlon Kirkbride* carry up the same to the Governor, and desire his Concurrence thereto; and withal that they acquaint the Governor, the greatest Part of the Business of the House had before them is gone through; and that the greater Dispatch he gives to the Bills under his Consideration, the more he will oblige the House.

The Gentlemen return and report, that they waited on the Governor with the Bill, and delivered the Message according to Order; and that the Governor was pleased to say, the Bills under his Consideration should be sent down to the House this Day.

Then the House adjourned to Three o'Clock, P. M.

The Governor, by his Secretary, sent down the Bill for amending the Laws relating to the Partition and Distribution of Intestates Estates, and concerning the Probate of Wills; and the Bill to encourage the Killing of Squirrels in this Province. with some proposed Amendments: Also the Bill for amending the Laws relating to the Poor, &c. with the following Message in Writing, *viz.*

GENTLEMEN,

'I Have considered, with the greatest Attention, the Bill, entituled, *An Act for amending the Laws relating to the Poor, and for the better Appointment of Overseers of the Poor within the City of* Philadelphia; and perceive it contains many New and wise Provisions, tending to the Utility of the Inhabitants of this City and Province; yet as the greatest Part of the Bill consists of Clauses revoking Powers given by several former Acts, and establishing new in their Places, without assigning any Cause for the Alteration, I cannot pass it as it stands.

'It would have been very agreeable to me, could I have sent you down the Bill under Amendments; but a small Trial convinced me, the Parts in my Opinion necessary, were so inseparably wove into the repealing Clauses, that the Attempt must end in Obscurity, and a fruitless wasting your Time.

'I wish any Method could be fallen upon to preserve the new and truly valuable Provisions in the Bill. To them you may always be assured of my hearty Concurrence.'

Febr. 1, 1748. JAMES HAMILTON."

The Committee appointed to examine *George Croghan's* Account, report a Balance due to him of *Two Hundred and Twenty-one Pounds*, which was agreed to by the House.

Ordered, That an Order on the Treasurer issue under the Hand of the Speaker for the Payment of the same.

Joseph Scull's Account was again read, and referred to *Edward Warner* and *Joseph Trotter*, who are to examine the same, and report thereon to the House.

A Petition from a Number of the Inhabitants on the Western Side of the River *Schuylkill*, setting forth, that through the great Increase of Inhabitants to the Westward of that River, the Ferries over the same are become exceedingly profitable, the Ferriage being continued at the Rates first established when the Passengers and Carriages crossing the same were very few; that if it was reduced to one Half what is at present taken, those Ferries would still remain more profitable than when first settled; that the Value of Lands on the Western Side of the said River would also thereby be much advanced, and many People of low Circumstances who attend the Market greatly relieved; and therefore praying the House would take the Premises into Consideration, and make such Alteration and Regulation therein as shall seem requisite; was presented to the House, and read, and *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House resumed the Consideration of the Amendments proposed by the Governor to the Bills that had been laid before him, and after some Debate, the further Consideration thereof was adjourned to the Afternoon.

The Governor, by his Secretary, sent down the Bill for regulating Horse-Jockeys, and Dealers in Horses; and to prevent the Bringing into this Province for Sale, such as are small. unsizeable or unsound; with a Message that he is ready to pass the same into a Law, when it shall be presented to him for that Purpose.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Governor's Message on the Bill for amending the Laws relating to the Poor, &c. and after some Debate,

Resolved, That the following Message be sent up to the Governor, in Answer thereunto, *viz.*

May it please the Governor,

It gives us some Pleasure to find the Governor express himself so much in favour of some Parts of the Bill, entituled,

"An Act for amending the Laws relating to the Poor," &c. And we wish, as, in his Opinion, "it contains many new Provisions tending to the Utility of the Inhabitants of this City and Province," the Whole had been such, as that we might have obtained his Assent to it.

We observe, from the Message the Governor was pleased to send us in relation to this Bill, that although as it now stands he cannot pass it, yet he is desirous some Method may be fallen upon to preserve "the new and truly valuable Provisions in the Bill;" and in this we heartily concur with him. The best Expedient we know of to answer this good Purpose is, to entreat the Governor, he will be pleased to reconsider the Bill, and point out such Parts of it as he dislikes, to the End we may be able to judge, whether, consistently with the Trust reposed in us, we can so amend the Bill, as to remove the Objections against its Passage."

The House resumed the Consideration of the Amendments proposed by the Governor to the Bill for amending the Laws relating to the Partition and Distribution of Intestates Estates, and concerning the Probate of Wills, and after some Debate,

Resolved, That the following Message be sent up to the Governor thereupon, viz.

May it please the Governor,

We have taken into Consideration the Amendments proposed to the Bill, entituled, "*An Act for amending the Law relating to the Partition and Distribution of Intestates Estates, and concerning the Probate of Wills*," and agree to all of them, the last save one excepted; and as to that Amendment, we look upon it as bestowing Powers on the Register-General, and his Deputies, with the Justices they shall think fit to call to their Assistance, which by Law neither can, nor, as we conceive, ought to be granted to them, for the Reasons following.

First, The Register-General, and his Deputies, in respect to the Probate of Wills, &c. have only the same Powers which, by the Royal Charter, the Proprietor is authorised to grant; and this we think neither is, nor can be, any other than the Probate of Wills which concern personal Estates: But the Amendment now proposed to us, gives the like Power in respect of Lands, which is directly repugnant to the Laws of *England*.

It is true, if the Register-General, or his Deputies, and those they are pleased to call to their Assistance, should doubt, the Parties are intitled to a Trial by a Jury: But then they

themselves are made absolute Judges of these Doubts; and though they should direct a Trial to be had by a Jury, yet no Provision is made to oblige them to have any Regard to the Verdict so to be given; but they may, for aught which the Clause proposed contains, give Judgment against the Verdict, without any Appeal to be had against their Sentence.

Secondly, As the Law now stands, we suppose it clear, that if the Register-General, and his Deputies, with their Assistants, exceed their Powers, the Justices of the Supreme Court may prohibit them; And at a Time when the Powers of the Register-General, his Deputies and Assistants, by the Clause proposed, are so much enlarged, we canont think it proper to take away the Superintendance of the Supreme Court.

Thirdly, Because this Clause directs the Calling of a special Court to try the Issues directed, and provides no Remedy, were the Justices to commit ever so gross Mistakes, either by bringing on any such Trial, when the Witnesses of either Party are beyond Sea; by admitting Jurors or Witnesses against whom just Expectations are taken or in denying such Jurors or Witnesses against whom no such Expectations are taken; But these, or any other Mistakes, notwithstanding, by the Amendment now proposed, the "Trial shall be had, made, taken, perfected and concluded, in the said special Court, any Law, Usage, Custom, Writ or Writs prohibitory, notwithstanding."

In *England* the Ordinaries, who have the Probate of Wills Concerning Personal Estates, have not like Power so far as concerns Lands, though they are often Men well skilled in the Civil Law, and proceed by it in Cases not repugnant to the Laws of *England;* yet if they mistake, there are Appeals, first to the Arches, and next to the Delegates, before the Parties are concluded: But, by the Provision in this Clause, the Sentence is to be final, and no Appeal from it, though it may happen the Justices called to the Assistance of the Register-General, or his Deputies, are concerned in Interest, know little of the Common Law, less of the Civil Law, and yet made Judges in the last Resort.

For these Reasons we would willingly hope the Governor, on considering the Premises, will recede from the Amendment, and give his Assent to the Bill as it now stands, without the Clause proposed."

And the Messages being signed by the Speaker, by Order of the House,

Ordered, That *Edward Warner* and *Joseph Trotter* carry up the Bill with the Messages to the Governor; and acquaint him,

that the House agrees to the Amendments proposed by him to the Bill for encouraging the Killing of Squirrels in this Province.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Bills and Messages of the House, report, that they delivered the same according to Order.

The Petition of the Inhabitants on the Western Side of *Schuylkill*, relating to the Rates of Ferriage over that River, was again read.

Ordered, That *Isaac Norris*, *Thomas Leech*, *Mahlon Kirckbride*, *John Owen* and *Peter Worral* be a Committee to inspect the several Laws of this Province relating to Ferries, and report thereon to the House at the next Sitting.

The House taking into Consideration, that *James Morris*, one of the Committee of Public Accounts, is appointed a Trustee of the Loan-Office; and *Cephas Child*, another of that Committee, desiring to be excused;

Ordered, That *Isaac Norris* and *Mahlon Kirkbride* be appointed in their Stead.

Then the House adjourned to Three o'Clock, P. M.

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'As the Currency of this Province is a Matter of the greatest Consequence to the Inhabitants, it ought previously to the passing an Act to increase the Quantity, to be well considered what Effect such an Addition might have on Trade in general, and the private Estates of particular Persons, in order that we may, as far as in us lies, do equal Justice to all. I hope therefore you will not think me unreasonable, if I take some Time, and the best Information I can get, the better to enable me to form a right Judgment of the Bill now before me, for making current *Twenty Thousand Pounds* in Bills of Credit of this Province, to be emitted on Loan. And I the rather hope this Delay will not be attended with any considerable Inconveniencies to the People, as there is confessedly a greater Sum of Money now circulating among us, than at any Time heretofore.

Febr. 3, 1748 JAMES HAMILTON."

The Committee appointed to examine the Account of *Joseph Scull*, report, that in their Opinion *Two Pounds Twelve Shillings and Four-pence* be allowed him in Discharge of the same; which was agreed to by the House.

Ordered, That *James Morris* and *Oswald Peele* wait upon the Governor, and acquaint him, that the House is inclinable to adjourn To-morrow, and therefore desire to know his Result on the Bills depending before him; and at what Time he will please to be waited on by the House with the Bills that have or will receive his Assent, in order to their being enacted into Laws; and that he would appoint some Gentlemen of his Council to join a Committee of the House in order to compare the Bills.

Resolved, That the Proposals made by *John Bleakley* are referred to the Trustees of the *Province Island*, and that they have Power to grant him a Lease for Twenty-one Years on the best Terms they can agree.

Resolved, That *Edward Warner* be appointed one of the Trustees of the *Province Island*, in the Room of *Thomas Tatnal*, deceased.

The Gentlemen return and report, that they waited on the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say, the House should receive a Message from him on the Bill relating to Intestates Estates this Afternoon, and another on the Bill relating to the Poor To-morrow Morning; that he would appoint some Gentlemen of his Council to meet the Committee of the House, and compare the Bills at Ten o'Clock To-morrow Morning in the Council Chamber; and that he would receive the House in order to pass the Bills into Laws, at Twelve.

Then the House adjourned for Half an Hour.

The House being resumed,

The Governor, by his Secretary, sent down the Bill for amending the Laws relating to the Partition and Distribution of Intestates Estates, and concerning the Probate of Wills. with a Message in Writing, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'Upon considering that Part of the Bill relating to the Distribution of Intestates Estates, &c. which concerns the Probate of Wills, and the Message I received from you on the Amendments by me proposed; I find it a Matter of great Importance, and attended with some Difficulty. As to the other Parts of

it, I approve of them, and am ready to give my Assent for their being passed into a Law.

If the Laws relating to the Probate of Wills shall be thought to want Amendment, I shall always be ready to take into Consideration any Bill that shall be prepared for that Purpose.

Febr. 3, 1748. JAMES HAMILTON."

Resolved, That the Bill be engrossed, without the Clause relating to the Probate of Wills.

Ordered, That the Committee who brought in the said Bill, inspect the Laws regarding the Probate of Wills, and bring in a Bill at the next Sitting for Amending them.

Ordered, That *Thomas Leech* and *James Morris* meet the Gentlemen of the Council appointed by the Governor to compare the Bills, To-morrow.

An Order was drawn, and signed by the Speaker, per Order of the House, for Payment of *Two Hundred and Twenty-one Pounds* to *George Croghan*, in full Discharge of his Account.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to compare the Bills with the Members of the Council, report they have done the same according to Order.

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'The Bill now before me, for Amending the Laws relating to the Poor, and for the better Appointment of Overseers of the Poor within the City of Philadelphia, being of considerable Length, and of great Consequence to the Public, the necessary Corrections and Alterations will require Time and Deliberation; and, as many of you have been long from your Families, and are desirous to adjourn, I imagine it will be agreeable to you to defer the further Consideration of them to another Session.

Febr. 4, 1748-9 JAMES HAMILTON."

The engrossed Bills were signed by the Speaker, per Order of the House.

A Message from the Governor by his Secretary.

Mr. SPEAKER,

"The Governor is ready to receive the House in the Council Chamber, in order to the passing those Bill into Laws to which he had given his Concurrence."

The Secretary being withdrawn,

Resolved, That *Four Hundred Pounds* be now given to the Honourable James Hamilton, Esq; Governor of this Province, in Part of his Support for the current Year.

And an Order for the Payment of the same was accordingly drawn, and signed by the Speaker.

Then the Speaker with the whole House waited on the Governor;

And being returned,

The Speaker resumed the Chair, and reported, that he had in the Name of the whole House, presented to the Governor their Order towards his Support for the current Year, which he had kindly received: And further, that the Governor had been pleased to give his Assent to the following Bills, by enacting the same into Laws, *viz.*

An ACT for the new Appointment of Trustees of the General Loan-Office of *Pennsylvania;* and for the making current *Five Thousand Pounds*, in new Bills of Credit, to exchange such of those, now by Law current, as are torn and defaced.

An ACT for amending the Laws relating to the Partition and Distribution of Intestates Estates.

An ACT to regulate Horse-Jockeys and Dealers in Horses; and to prevent the Bringing into this Province for Sale, such as are small, unsizeable, or unsound.

An ACT to encourage the Killing of Squirrels within this Province.

That *Thomas Leech* and *James Morris* were apopinted to see the Great Seal affixed to those Laws; that the Speaker had also acquainted the Governor with the Proposed Time of Adjournment, to which he made no Objection.

Then the House adjourned to the 7th Day of the next Sixth Month.

The House met according to their Adjournment.

Ordered, That *James Morris* and *Joseph Trotter*, wait upon the Governor, and acquaint him, that the House is met pursuant to their Adjournment, and that if he hath any Thing to lay before them, they are ready to receive it.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would send a Message to the House.

An Account from *James Sterret*, of *Five Pounds*, for his Service in going to the *Toscarora Path*, to warn off some People who had settled on the *Indians* Lands. Also an Account from *David M'Neer*, of *Eighteen Shillings*, he charges for bringing *William Brown* (a young Man of *Carolina*, who had been taken Prisoner by the *Indians*) from *George Croghan's* to *Philadelphia;* were presented to the House, and read.

An Account from *John Stevens*, of *Sixty-five Pounds Fifteen Shillings*, for Dieting *French* Prisoners, was laid before the House, and read.

Then the House adjourned to Three o'Clock, P. M.

The Governor, by his Secretary, sent down a Message in Writing to the House, together with a copy of the Minutes of Council, containing the late Treaty with some Deputies of the *Six Nations*, and they were read, and follow in these Words, *viz.*

GENTLEMEN,

'Some Affairs relating to this Province having been the Subject of the Consultations of the *Six Nation Indians*, at their annual Council, held in the Spring of the Year at *Onondago*, it was there resolved to send a Deputation to this City, to consist of a few of the Chiefs of every Nation, and a particular Time and Place of Rendezvous was agreed on; in Consequence whereof, the Deputies of the Senecas came there at the Time appointed, and staid a whole Month; but the other Deputies not coming, and they hearing no Tidings about them, concluded they were prevented by some unforeseen Accident, and therefore being so far on their Journey, they determined to pay a Visit to their Brethren of this Province, and so came here the Beginning of the last Month. I refer you to the Minutes of Council, which will be herewith delivered to you, for their Business. As the Province had been put to some Expence by them, they were told, on their Departure, if they met the other Deputies, to inform them what they had done here, and persuade them to return; and it seems they did meet them; but whether they delivered this Message, or no, I have no Account: If they did, it had no Effect; for they are now on the Road, and expected here every Day. You will therefore be pleased to take the necessary Care for their Reception.

'Mr. *Weiser*, having defrayed the Expences of the last *Indians* in their Journey to and from this City, I advanced him the Sum of Sixty Pounds on his going away: He must by this Time have laid out a considerable Sum more, which you will be pleased to order Payment of. And though from your long Knowledge of his Merit, it might be unnecessary in me to say any Thing in his Favour, yet as the last Set of *Indians* did Damage to his Plantation, and he had Abundance of Trouble with them, and is likely to meet with much more on this Occasion, I cannot excuse myself from most heartily recommending it to you, to make him an handsome Reward for his Services.

Aug. 8, 1749. JAMES HAMILTON."

(See the Conference held with the Indians)

A Petition from *James Coultas*, of the *Market-Street* Ferry, on the River Schuylkill, setting forth, that having farmed the said Ferry, he hath, in order to render the same more convenient and satisfactory to Passengers, been at a very great Expence in raising, lengthening and enlarging the Wharffs and Causeways of the said Ferry, so that one Carriage may now safely pass another, and no Delay given by the grounding of the Flats at Low Water; which he had done, confiding that the Rates of Ferriage would during his Lease remain as they are; that he is at a very great Expence in keeping Three Flats and Attendants, beside smaller Vessels, for the Expedition of Passengers; and that in the Winter, during the hard Frosts, the daily Expence of keeping the Ferry open exceeds the Amount of the Ferriage, besides the additional Charge of large Fires; and if not kept open, would be exceeding dangerous, and greatly detrimental to City and Country; that for his own Satisfaction, he did, in the Year 1747, keep an Account of the Ferriage for that Year, the Balance of which was but *One Hundred Seventeen Pounds and Two-pence* of his Reimbursement, Time, Trouble, Risk and Charge, and for the Support of his Family, his chief Profits arising from his other Dealings and Business; that the Consequences of Reducing the Rates of the said Ferry, he apprehends, will be, that the Wharffs and Causeways will go to Decay, the Flats and Boats cannot be so well maintained, nor the Attendance be so good and constant, nor the same Conveniencies of Fire, Shelter, &c. afforded the Passengers, nor can the Keeper of the Ferry make good any Loss that may happen for Want of proper Attendance; that taking off one Half of the Rates on Horses only, would so reduce the Income of the Ferry, as to

leave but about *Four Pounds Ten Shillings, per Annum*, for the Keeper's Reimbursement and Support, nor can the Value of the Land on the West-side of the River be advanced (as he conceives) by reducing the Rates of Ferriage, while the River is to be crossed in Boats, and not by a Bridge; and therefore praying that the House would take the Premises into Consideration, and act therein consistently with their accustomed Justice and Equity; was presented to the House, and read, and *Ordered to lie on the Table.*

The Petitioner's Account on Oath, of the Produce of his Ferry for the Year 1747, was also laid before the House, and read.

A Petition from a great Number of Inhabitants on the West-side of *Sasquehannah*, seated on the Tract of Land lying North of the *South Mountain*, setting forth the many Inconveniencies they labour under by their Distance from the County Town of *Lancaster*, and the Intervention of the River; that the said Tract is of sufficient Extent for a County, and hath a great Number of Inhabitants, who are both willing and able to bear the necessary Expence of building a Court-House and Prison, and other Charges of a new County; and therefore praying that the said Tract may be divided from *Lancaster*, and made a separate County; was presented to the House, and read, and ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor's Message was again read.

The Governor, by his Secretary, sent down a Letter, received from *Conrad Weiser*, relating to the *Indians*, which was read.

According to Leave given at the last Sitting, a Bill was now brought in for erecting Part of the Province of *Pennsylvania*, Westward of *Sasquehannah*, and South-eastward of the *South Mountain*, into a County; and the same was read the first time, and ordered a second Reading.

Ordered, That the Superintendants of the State House do (in Pursuance of the Governor's Recommendation by his Message) provide a proper Place for the Reception of the *Indians* lately entered into this Province, if they proceed to this City.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, sent down the Bill for amending the Laws relating to the Poor, &c. with some Amendments, and a written Message; and the Bill for making cur-

rent *Twenty Thousand Pounds*, &c. with a written Message; which Messages were read, and follow in these Words, viz.

GENTLEMEN,

'According to your Request last Session, I send you the Bill for amending the Laws relating to the Poor, with Amendments. As nothing can afford me greater Pleasure than Unanimity in the two Parts of the Legislature, I hope it will appear to you, on Consideration, that the Matters I have thought proper to be omitted, are amply provided for by the Laws now subsisting, and that all the new Provisions, tending to the Utility of the Inhabitants of this City and Province, are retained.

August 10, 1749. JAMES HAMILTON"

GENTLEMEN,

'As we have certain Information that a Bill was brought into the Parliament of *Great Britain*, at their last Sessions, for restraining his Majesty's Colonies in *America* from issuing Paper Bills of Credit to pass in Lieu of Money; and as we are hitherto uncertain what may have been the Fate of that Bill, I am of Opinion it may be highly imprudent, and attended with very bad Consequences to the Province, should we take upon us to pass a Law for increasing the Quantity of our Currency, until such Time as we are better acquainted with the Sentiments of our Superiors, upon a Subject they have had so lately under Consideration.

August 10, 1749. JAMES HAMILTON"

A Petition from *Mary Gray*, Widow, of the *Lower-Ferry*, on the River *Schuylkill*, setting forth, that her late Husband George Gray, purchased the said Ferry for *Eleven Hundred and Fifty Pounds*, subject to the yearly Rent of *Thirty Pounds* to the Proprietaries, and made sundry Improvements in the House, Causeways, Flats, &c. to the Amount of near *Three Hundred Pounds* more; that the said *George Gray* by his last Will devised the same to the Petitioner, under the yearly Rent aforesaid, and the further Incumbrance of *Five Hundred Pounds*, being one Half of his Debts at the Time of his Decease, to be paid out the Issues and Profits of the said Ferry: And that, if the Rates be reduced, the Petitioner will be rendered unable to support the Attendance that is now given, or to keep the Ferry open in Winter, which is a much greater Expence than the Ferriage amounts to, and if neglected would be a Loss to both City and Country, as much less Provision would be brought to Town: And therefore praying that the

House would consider the Premises, and permit the Petitioner to have a Hearing thereupon, before they take any Measures for reducing the Rates of the said Ferry; was presented to the House, and read, and *Ordered to lie on the Table.*

A Representation from the Secretary of the Damage done by a Party of *Indians* to *Jane Teer*, a poor Widow of *Lancaster* County, was laid before the House, and read.

The Committee appointed to audit and settle the Accounts of the General Loan-Office, and other Public Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Perusal of the Members.

The Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Sasquahannah*, and South-eastward of the *South* Mountain, into a new County, was read a second time, and the further Consideration thereof referred to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

A Petition from a Number of Inhabitants on the Western Side of the River *Schuylkill*, setting forth, that divers of the Petitioners are Descendants of the earliest Adventurers into the Province, who had their Proportions of their *British* Purchases, laid out on the West-Side of *Schuylkill*, before it was known on which of the two Fronts the City would be built; that *Delaware* Front being found most commodious, and the City thereon increasing, Ferries over *Schuylkill* became necessary, and were in early Times established at such Rates as were then thought reasonable; that as the Settlements on the Western Side of the said River are now abundantly increased, and the Custom of those Ferries more than four times as much as formerly, the Petitioners conceive it a Grievance to them that no Abatement is made of the Price; and therefore praying that the House would consider the Premises, and grant such Relief as shall seem meet; was presented to the House, and read, and *Ordered to lie on the Table.*

A Petition from sundry Inhabitants of the County of *Lancaster*, setting forth, that the said County having been erected since the Passing a Law for Building Houses of Correction and Work-houses in the respective Counties of this Province, the Inhabitants thereof are thought not to be entitled to the Benefits and Privileges of the same; that the Inhabitants of the said County are now very numerous, and suffer great Inconveniencies for Want of a House of Correction and Work-house, for the Correcting and Keeping to Labour Vagabonds, disorderly Servants, and others, who are subject by the Laws to be punished in that Manner; and therefore praying an Act may be passed to invest the Justices of the said County

with Power to erect a House of Correction and Work-house in the same County, and all other suitable Powers for rendering the same effectual, for the Purposes above-mentioned, agreeable to the Law now in force for the other Counties in this Province; or in such other Manner as to the House shall seem meet; was presented to the House. and read, and *Ordered to lie on the Table.*

The House proceeded in Reading the Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Sasquehannah* and South-Eastward of the *South Mountain*, into a County.

Resolved, That the Northern and Western Boundary of the said County be a Line drawn on the Ridge of the *South Mountain*.

Resolved, That the Bill be committed for Amendment to *Thomas Leech*, *Abraham Chapman*, *Owen Evan*, *George Ashbridge*, *James Webb* and *Peter Worral*.

The Consideration of the Petition from the Inhabitants on the North-side of the *South Mountain*, is referred to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen to whom the Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Susquehanna* and Southeastward of the South Mountain, into a County, was committed, brought in the same with Amendments, and it was read by Order, and considered, and re-committed for further Amendments.

The Petition from a great Number of Inhabitants of *Lancaster* County, inhabiting the Lands lying on the North-side of the *South Mountain*, and praying the same may be erected into a new County, was again read;

Ordered, That the Petitioners Agents have Leave to attend the House this Afternoon, in Support of their Petition.

Then the House adjourned to Three o'Clock, P. M.

The Agents for the Petitioners for a New County, North of the *South Mountain*, attending, were called in, and having said what they thought fit in Support of their Petition, and answered such questions as were asked them for the Satisfaction of the House, they withdrew.

Ordered, That the further Consideration of the said Petition be adjourned to the next Third-day Morning.

The Gentlemen to whom the Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Sasquehannah* and

South-Eastward of the *South Mountain*, into a County, was committed brought in the same, with some additional Clauses relating to the Collecting of the Excise, which were read, and the Bill was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

An Account from *William Dunwick*, amounting to *Four Pounds Nine Shillings and Three-pence*, for amending *Indian* Guns, &c. was laid before the House, and read, and allowed.

Ordered, That the Superintendants of the State-House take Care of recovering the Debts due from the Estate of *Daniel* Pegg, deceased, to the Public; and the Bonds were accordingly put into their Hands.

The Gentlemen appointed to inspect the Laws of this Province relating to Ferries, report, that they are all expired; but that the Rates at present taken, are generally such as were formerly allowed by those Acts.

Resolved, That the Consideration of those Acts, and of the Petitions relating to Ferries, be recommended to the Consideration of the next Assembly, there not being Time at present to proceed thereupon.

An Account from *Richard Sewell*, Sheriff of *Philadelphia* County, of *Four Pounds Four Shillings*, Charges paid by him to Persons who went in Search of some absconded Coiners, was laid before the House, read, and allowed.

The Petition from the Inhabitants of Lancaster County, for a law to enable them to build a Work-house and House of Correction, was again read.

Resolved, That the Time the House now proposed to sit, will not allow the proceeding on such a Bill; and therefore it is referred to the Consideration of the next Assembly.

Ordered, That *Oswald Peele*, *Joseph Trotter*, *Edward Warner*, *Cephas Child*, *John Owen*, *Francis Yarnall* and *Peter Worral* be a Committee to inspect and settle the Accounts of the incidental Charges of the current Year.

Then the House adjourned to next Second-day, at Three o'Clock, P. M.

The House met pursuant to their Adjournment, and adjourned to Ten o'Clock Tomorrow Morning.

The Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Sasquehannah* and South-Eastward of the *South* Mountain, into a County, was read a third time; and a Debate arising thereupon, it was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Debate on the Bill for erecting Part of the Province of Pennsylvania, westward of *Sasquehannah* and South-Eastward of the *South Mountain*, into a new County; and after some Time spent therein,

Resolved, That the Bill do pass.

A Bill for barring Estates Tail, was read the first time, and ordered a second Reading.

A Bill for regulating the Probate of Wills within this Province, was read the first time, and ordered a second Reading.

Ordered, That *James Webb* and *Peter Worral* carry up the Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Sasquehannah* and South-Eastward of the *South Mountain*, into a new County, to the Governor, and desire his Concurrence.

The House resuming the Consideration of the Petition for another new County, North of the *South Mountain*.

Resolved, That the same be recommended to the Consideration of the next Assembly.

A Supplementary Bill to the Act, entitled, *An Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province*, was read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to carry up the Bill for a new County, report, that they delivered the same to the Governor according to Order, who was pleased to say, he would give it all the Dispatch he could.

The Bill for barring Estates Tail, was read a second time; but the House thinking it too late to proceed therein at this Time, the further Consideration thereof is recommended to the next Assembly.

The Bill for amending the Laws relating to the Poor, and for the better appointing Overseers of the Poor for the City of *Philadelphia*, with the Amendments sent down by the Governor, was read, and referred to further Consideration of the Afternoon.

The Bill for regulating the Probate of Wills within this Province, was read a second time, and recommended to the succeeding Assembly.

The Governor, by his Secretary, sent down the Bill for making a new County, with some Amendments, which were agreed to by the House.

The Supplementary Bill to the Act for imposing a Duty on

Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province, was read a second time, and ordered to be transcribed for a third Reading.

An Account from Benjamin Hooton, charging *Five Pounds* for Nursing, and Attendance, &c. of a sick *Indian*, five Weeks, was laid before the House, and read:

An account from Dr. *Richard Farmer*, charging *Three Pounds Sixteen Shilling* and *One-penny*, for Medicines to the said *Indian*, was laid before the House, and read:

And the said Accounts were referred to the Committee for incidental Charges.

Then the House adjourned to Three o'Clock, P. M.

The Supplementary Bill to the Act, entitled, *An Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province*, being transcribed, was read the third time;

Resolved, That the Bill do pass.

Ordered, That *Thomas Leech* and *Edward Warner* carry up the same to the Governor, and desire his Concurrence.

A Petition from *Henry Otc*, of *Philadelphia* County, setting forth, that the *Indians*, in their Way to *Philadelphia*, shot a Milch Cow and Heifer of the Petitioner's and carried away the same: praying Payment from the House; was presented, and read. *Ordered to lie on the Table.*

A Petition from *James Brooks*, of *Philadelphia* County, complaining of sundry Abuses and Damages suffered by him from the *Indians*, in their Way to *Philadelphia*, and praying Relief, was presented to the House, and read, and *Ordered to lie on the Table.* The Bill for amending the Laws relating to the Poor, with the proposed Amendments, was again read; and the same were: on the Question, agreed to by the House.

Ordered, That the Bill be engrossed as amended.

Ordered, That the Gentlemen appointed to carry up the Supplementary Bill for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province, acquaint the Governor, that the House have agreed to the Amendments proposed to the Bill for erecting a new County, and ordered it to be engrossed accordingly. And that as to the Bill relating to the Poor, the House would have been better satisfied to have had it passed entire, as sent up to the Governor; but as several Things yet remain in the Bill that may be serviceable to the Public, they have agreed to the Amendments proposed, and ordered it to be engrossed accordingly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight report, that they delivered the same according to Order,

The Petitions of *Henry Ote* and *James Brooks*, complaining of Injuries received from the *Indians*, were again read, and referred to the Committee of incidental Charges, to enquire into the Facts set forth in the said Petitions, and report thereon to the House.

The engrossed Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Susquehannah* and South-Eastward of the South Mountain, into a new County, was read and compared.

Then the House adjourned to Three o'Clock, P. M.

A Message from the Governor, by the Secretary;

Mr. Speaker,

'The Governor, for expediting Business, sends to the House the Minutes of Council, containing the Speech made Yesterday by the *Indians;* and as they have been faithful to us during the War, recommends it to the House to take into Consideration the making them a Present at this Time."

The Minutes of the Council were read, and the verbal Message from the Governor considered.

Resolved, That, besides the Sum of *One Hundred Pounds* lately given to the *Indians*, a Sum not exceeding *Five Hundred Pounds* be now presented to them.

It being observed in the House, that the Offering Lands to Sale, and other Affairs relating to Lands, are often the Occasion of bringing down the Indians, to the great Expence of the Province, it was therefore

Resolved, That the Governor be acquainted with the Sentiments of the House, and the Hopes they entertain, that in Consideration thereof, the Proprietaries Agents are impowered, and will accordingly make an additional Present to the *Indians*, as well as contribute to the Expence arising on this Visit.

The Committee appointed to enquire into the Allegations of the Petitions of *Henry Ote* and *James Brooks*, report, that they find Reason to believe the same are true.

Ordered, That *Isaac Norris* and *Oswald Peele* wait upon the Governor, and acquaint him with the foregoing Resolutions of the House; and also of the Injuries done by the Indians to several Persons as they came down, which the House request he would take proper Notice of in his Speech to them, in order

to prevent as much as may be the like Outrages for the future.

Then the House adjourned to Ten o'Clock to-Morrow Morning.

The Governor, by his Secretary, sent down the Supplementary Bill to the Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province, with a Message, that he was ready to pass the same into a Law when it shall be presented to him for that Purpose.

Ordered, That the same Bill be engrossed.

The engrossed Bill for amending the Laws relating to the Poor, was read and compared.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would strongly represent to the *Indians* the Injuries done by some of them to the Inhabitants, and would consider the other Part of the Message relating to an Addition to the Present.

Then the House adjourned to Three o'Clock, P. M.

The Supplementary Bill to the Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province, being engrossed, was compared in the House;

Ordered, That *Joseph Trotter* and *Edward Warner* wait upon the Governor, and acquaint him, that the Bills which have passed the House with his Concurrence, are engrossed in the Manner agreed on; and desire to know when the Governor will be pleased to receive the House, in order to the enacting those Bills into Laws. And farther, that they desire the Governor, to appoint two Members of Council, to join a like Number of the House, in order to compare them.

Ordered, That *Thomas Leech* and *Oswald Peele* attend the Members of Council that shall be appointed to compare the Bills.

Sundry Accounts of Services done the Public were reported on by the Committee of incidental Charges, and such Allowances made as the House judged reasonable.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight report, that they delivered the same according to Order, and that the Governor was pleased to say, he would receive the House at Twelve o'Clock this Day, in

order to pass the Bills into Laws, and that he would appoint two Members of Council to assist in comparing them.

The Committee appointed to examine the Bills with the Members of Council, report, that they had done the same.

Resolved, That *Six Hundred Pounds* be paid to the Honourable JAMES HAMILTON, Esq; Governor of this Province, as the Remainder of his Support for the current Year.

And an Order for the Payment of the same was drawn, and signed accordingly.

Resolved, That *One Hundred Pounds* Sterling be remitted to the Agent, R. *Patridge*, Esq; besides his Salary, to lie in his Hands for public Services, to be accounted for hereafter.

Ordered, That *Thomas Leech* and *Oswald Peele* see the Great Seal affixed to the Laws, after they are passed.

Th House being acquainted that the Governor is in the Council Chamber, ready to receive them, in order to enact the Bills into Laws;

The Speaker with the whole House waited upon the Governor;

And being returned, the Speaker resumed the Chair, and reported, that the House had waited upon the Governor with the following Bills, *viz.*

An ACT for erecting Part of the Province of *Pennsylvania*, Westward of *Sasquehannah* and South-Eastward of the *South Mountain*, into a County.

A Supplement to the Act, entitled, An ACT for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province.

An ACT for amending the Laws relating to the Poor.

That the Governor had been pleased to give his Assent to the same by passing them into Laws. That the Sperker had also presented to the Governor the Order of the House for his Support, for which he was pleased to thank the House, and to say, that he hoped the Good Agreement which had subsisted between the several Parts of the Legislature hitherto, was a good Presage of its Continuance during his Administration.

The Report of the Committee of the Public Accounts, was approved of, and allowed by the House, and follows in these Words, *viz.*

We, *the* Committee *appointed by Order of Assembly to settle the Accounts of the* General Loan-Office *of the Province of* Pennsylvania,

Report,

That, upon a careful Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Assembly for emitting Paper Bills, and now remaining in the Loan-Office undischarged, we find there are principal Sums or Quotas thereon, to become due and payable to the Trustees, the Sum of £47,758 13 4

That there are Quotas outstanding, and now due on all the Mortgage Deeds, as by a List exhibited by the Trustees to the Committee, and by them examined, amounting to the Sum of..... 14,790 9 2

That a List of 194 Mortgage Deeds have been taken, Part on the second Re-emission of the second £80,000 Act, and Part on the third Re-emission of ditto amounting as per List to 12,319 5 0

That several Sums lent the Public, to be repaid into the Hands of the Trustees, are still outstanding, viz.

The whole Sum appropriated by the second £30,000 Act, to build a State House	£2,000	0	0	
Part of the Sum lent the City of Philadelphia by the first £30,000 Act	156	0	0	
Part of the Sum lent the City of Philadelphia to build an Alms-House	187	10	0	
Part of the Sum put into the Hands of the Provincial Treasurer, ...	£200	0	0	
		£2,543	10	0
			£77,411	17 6
Balance in the Hands of the Trustees			2,588	2 6
Makes the whole Sum current in the Province			£80,000	0 0

That the Trustees, upon Account of Interest, Credit the Province with Sundries, *viz.*

By Balance due to the Province at last Settlement, ...	1,102	9	1

By Interest outstanding at the last Settlement				6,921	6	4½	
From which deduct Interest on Francis Nief's Mortgage, ...	£5	19	4				
Ditto on Daniel Harrison's Mortgage	3	14	0	9	13	4	
Leaves the true Interest outstanding last Year, ...				6,911	13	0½	
By interest arising on all the Mortgage Deeds this current year				2,950	4	5	
By broken Interest received this Year, ...				1,032	2	7	
							£11,996 9 1½
That the Trustees, upon Account of Interest, Charge the Province with the Interest outstanding on all the Mortgage Deeds, amounting per Lists to	£7,067	6	4½				
And with an Overcharge of Interest on Robert Montgomery's Mortgage		6	5	6			
An Overcharge on Thomas Bane's Interest		1	0	6			

An Overcharge on Joshua Walton's Interest, ...	0	5	0			
				£7,074	17	4½
Paid sundry Orders for Assembly Men's Wages, ...				262	0	0
Paid John Kinsey, Esq; Chief Judge of the Supreme Court, per Order, ...				200	00	0
Paid William Till, Esq; one the Judges of the Supreme Court, per Order, ...				60	0	0
Paid Thomas Graeme, Esq; one of the Judges of the Supreme Court, per Order, ...				60	0	0
Paid Tench Francis, Esq; Attorney General, per Order, ..				70	0	0
Carried forward, ...				£7,726	17	4½
Brought over Credit, ...						£11,996 9 1½
Brought over Debet, ...				£7,726	17	4½
Paid Joseph Noble for 100 l. Sterling, being the Agent's Salary for the Year 1748, ...				170	0	0
Paid Thomas Burden, Doorkeeper, per Order, ...				13	0	0
Paid for Firewood for the Assembly, ...				13	8	0
Paid for a Lock for the Loan-Office, ...				0	18	6
Paid Richard Peters, per Orders, his Disbursements for the Government, &c.				158	12	5
Paid Reese Meredith, per Order,				60	0	0
Paid Lynford Lardner for Proprietors, per Act of Assembly,				130	0	0
Paid the Honourable James Hamilton, Esq; per Order, ..				600	0	0
Paid the Trustees of the Province Island, in Part of their Contracts with John Bleakley,				160	0	0
Paid John Jervis, for signing 45, 332 Paper Bills of Credit, at 15s per 1000, ...				34	0	0

Paid the Trustees Salary, from from the 6th Month the 1st, 1748, to 3rd Month 16th, 1749. at the Rate of 110 l. per Annum, it being nine Months and fifteen Days, ...	435	8	4			
To an Allowance due by Law for 140 Mortgage Deeds, ...	140	0	0			
To an Allowance due by Law for Exchanging and Sinking £1,571 6s, 6d old Bills for new, at 27.1 10s for each Ten Thousand Pounds, ...	4	6	5			
	9,646	11	0½			
Balance in the Trustees Hands due to the Province, ...	2,349	18	1			
				£11,996	9	1½

WE, *the* COMMITTEE *appointed by Order of Assembly to audit and settle the Publick Accounts*, REPORT, THAT we have examined the Provincial Treasurer's Account, and find that he Credits the Province,

By the Ballance of Accounts settled with the Committee, 6th Month 26, 1748, ...	£357	2	9½			
By Cash of Judah Foulke, Collector of the Excise for the City and County of Philadelphia, ...	1303	4	0			
By Cash of William Atkinson, Collector of the Excise for the County of Bucks, ...	174	0	0			
By Cash of Jeremiah Star, Collector of the Excise for the County of Chester, ...	421	4	3			
By Cash of Arthur Patterson, Collector of the Excise for the County of Lancaster, ...	206	5	6			
				£2,461	16	6½

THAT he Charges the Province with the following Articles. to wit,

Paid Peter Robeson, per Order, Expences for the Person who gave Intelligence of the Spanish Privateers, &c., ...	£9	6	3

Paid John Clary, per Order, for dieting French Prisioners, ...	4	4	0
Paid Mary Farrel, per Order, for dieting French Prisioners,	2	7	0
Paid Richard Farmer, per Order,	2	10	0
Paid Benjamin Franklin, per Order, ...	77	1	1
Paid Alexander Gandouit, per Order, the remaining Part of his Account for sick Soldiers,	10	10	0
Paid John Rudolph, per Order, the full of his Account for dieting Soldiers, ...	5	7	10
Paid James Morris, per Order,	7	0	0
Paid Hugh Roberts, per Order, for Indian Goods, ...	2	17	10
Paid William Donaldson, per Order, his Account for dieting Soldiers, ...	6	17	0
Paid Charles Stow, Door-keeper to the Council, per Order, ..	14	12	6
Paid Samuel Kirk, Serjeant at Arms, per Order, ...	8	0	0
Paid Thomas James, per Order, for dieting French Prisoners,	29	19	9
Paid William Parker, for George Wood, per Order, for dieting Soldiers, ...	4	3	0
Paid William Parker for dieting Soldiers, per Order, ...	5	0	2¾
Paid Dorcas Buchanan, for dieting French Prisoners, per Order, ...	5	12	6
Paid Richard Peters, for Indian Affairs, per Order, ...	108	5	0½
Paid James Mather, for dieting Soldiers, per Order, ...	19	3	10
Paid David Coupland, for dieting Soldiers, per Order, ...	21	0	0
Paid Edward Warner, per Order,	7	0	0
Paid Levy and Franks, for Indian Affairs, ...	70	2	0

Paid Lloyd Zachary, per Order,	3	0	0
Paid Margaret Howes, for dieting Soldiers,	5	5	0
Paid William Attwood, for Indian Affairs,	14	12	10
Paid Arthur Patterson, for J. Sterret, per Order,	6	10	0
Paid James Webb, per Order,	1	10	0
Paid John Owen, per Order,	5	5	0
Paid Abraham Chapman, per Order,	6	0	0
Paid John Bulnoy, for bringing an Express from the Duke of Bedford,	1	0	0
Paid Adam Weaver, per Order,	2	19	0
Paid Richard Peters, for Indian Affairs, per Order,	166	18	0
Paid Thomas Lawrence, for Indian Affairs, per Order,	41	17	0
Paid Thomas Graeme, for Indian Affairs, per Order,	9	15	6
Paid Samuel Gilford, for Indian Affairs, per Order,	1	4	0
Paid Conrad Weiser, Interpreter for the Province, per Order,	133	2	0
Paid Lynford Lardner, per Order,	1	4	0
Paid Isaac Norris, for Postage of Letters,	10	0	0
Paid Joseph Scull, per Order,	2	12	4
Paid James Whitehead, for dieting Prisoners of War, per Order,	3	6	0
Paid John Knisey, on Account of George Croghan, per Order,	221	0	0
Paid John Clifton, for keeping the Indians and the Interpreter's Horses,	3	2	11
Paid Mary Borden, for the Maintenance of the Indians when last in Town,	25	2	9
Paid Richard Peters, in Behalf of the Governor,	400	0	0
	£1,486	16	2¼

To Commissions on the Above, at 5£ per Cent, ...	74	6	9¼	
Balance in the Hands of the Treasurer due to the Province.	900	13	7	
				£2,461 16 6½

THAT we have examined the Accounts of Judah Foulke, Collector of the Excise for the City and County of Philadelphia, and find that he Credits the Province,

By the Balance of Account, settled with the Committee last Year, ...	683	6	3	
By the Amount of Excise from 4th Mo. 1, 1748, to 4th Mo. 1 1749, ...	1,809	3	8	
By Cash received of sundry Persons for Fines, as per List, ..	27	0	0	
				£2,519 9 11
THAT he Charges the Province with his Commissions on £1,809 3 8 at 5 per Cent, ...	90	9	2	
To Cash paid Mitchael Lightfoot, Provincial Treasurer, at sundry Times, ...	1,303	4	0	
Balance due to the Province	1,125	16	9	
				£2,519 9 11

THAT we have examined the Accounts of William Atkinson, Collector of the Excise for the County of Bucks, and find that he Credits the Province,

By the Balance of Accounts settled with the Committee last Year, ...	£107	18	2	
By the Amount of Excise from 4th Month 1, 1748, to 4th Month, 1749, ...	170	11	4	
				£ 278 9 6
THAT he Charges the Province with the following Articles,				
To Cash paid Michael Lightfoot, Provincial Treasurer, at sundry Times, ...	£174	0	0	
Commissions at 10 per Cent, on 174 1., ...	17	8	0	
Balance due to the Province,	87	1	6	
				£ 278 9 6

THAT we have examined the Accounts of Jeremiah Star, Collector of the Excise for the County of Chester, and find that he Credits the Province,							
By the Balance of Accounts settled with the Committee last Year, ...	£231	1	10				
By the Amount of Excise, from 4th Mo. 1, 1748, to 4th Mo. 1, 1749, ...	286	13	8				
By Cash received for Fines of sundry Persons, as per List,	7	10	0				
				£	525	5	6
THAT he Charges the Province with the following Articles,							
To Cash paid Michael Lightfoot, Provincial Treasurer, at sundry Times, ...	£421	4	3				
To his Commissions on £421 4s3, at 10 1. per Cent, ...	42	2	5				
Balance due to the Province,	61	18	10				
				£	525	5	6
THAT we have examined the Accounts of Arthur Patterson, Collector of the Excise for the County of Lancaster, and find that he Credits the Province.							
By the Balance of Account, settled with the Committee last Year, ...	£168	19	9½				
By the Amount of Excise, from 4th Mo. 1, 1748, to 4th Mo. 1, 1749, ...	196	13	0				
				£	365	12	9½
THAT he Charges the Province with the following Articles,							
To Cash paid Michael Lightfoot, Provincial Treasurer, since the last Settlement, at sundry Times, ...	£206	5	6				
To Commissions on £206 5s6, at 10 1. per Cent.	20	12	6½				
Balance due to the Province,	138	14	9				
				£	365	12	9½

WE do further Report, that we have sunk and destroyed of the old Bills of Credit of the several Emissions pursuant to the Directions of the £80,000 Act, ...	£328 9 0		
And sunk by former Committees the Sum of	65,578 7 6		
There remains to be sunk to compleat all the Bills of the several Emissions before the £80,000 Act, the Sum of	2,982 18 6		
		£68,889 15	0
WE have also sunk and destroyed of the Bills emitted by Virtue of the first £80,000 Act, and the £10,000. Act pursuant to an Act of Assembly, the Sum of	£1.242 17 6		
And sunk by former Committees of the Bills emitted by Virtue of the first £80,000 Act, ...	1,110 13 6		
		£2,353 11	0

Submitted to the Correction of the House, 6th Month 10, 1749, by

EDWARD WARNER,
MAHLON KIRKBRIDE,
JOHN OWEN."

Then the House adjourned to Three o'clock, *P.M.*

The Gentlemen appointed to see the Seal affixed to the Laws, report, that the same is done, and that they are deposited in the Rolls Office.

The House took into Consideration the Secretary's Accounts, and after some Debate, the Question was put, that an Allowance be now made the Secretary for his extraordinary Services the last Year? *Past in the Negative.*

Resolved, That the further Consideration of that Demand be recommended to the succeeding Assembly.

Ordered, That the Bonds of the late Trustees, who are discharged from that Office, be delivered up.

Lewis Evans having presented this House with a Map done by him, of this and the neighbouring Provincea.

Ordered, That a Present be made him from this House of *Ten Pounds*, in Reward of his Industry and Ingenuity in making the said Map.

And an Order was accordingly drawn on the Treasurer for Payment of the same, and signed by the Speaker.

Ordered, That *Twelve Pounds* be allowed to *Jane Teer*, and *Thirty Shillings* to *William Clark*, in Compensation of the Damage they received from the *Indians*.

Then the Orders for Payment of the Salaries of Publick Officers, and other Allowances made by the House, being drawn, and signed by the Speaker.

The House adjourned to the 30th of *September* next.

INCIDENTAL CHARGES.

TO the Honourable JAMES HAMILTON, Esq; Lieutenant Governor, in Part of the Year's Support,	£600	0	0
To *John Kinsey*, Esq; Chief Judge of the Supreme Court, his Salary,	200	0	0
To *Thomas Graeme, Esq;* another of the Judges, his Salary,	60	0	0
To *William Till*, Esq; another of the Judges, his Salary,	60	0	0
Carried forward,	£920	0	0
Brought forward,	£920	0	0
To *Richard Partridge*, Esq; his Salary as Agent, 100 £ Sterl.	172	10	0
To Ditto, towards defraying the Publick Expences there, per Order, 100 Sterling,	172	10	0
To the Speaker, for Drawing Bills, *&c.*	80	0	0
To the Members of Assembly, for their Attendance, at 5s. per Day, the gross Sum,	358	5	0
To *Tench Francis*, Esq; Attorney General, his Salary,	70	0	0
To *Isaac Norris*, for 2 Days Attendance on the Committee for Accounts, and burning Paper Money,	0	10	0
To *Mahlon Kirkbride*, for 24 Days Ditto,	6	0	0
To *Edward Warner*, for 28 Days, Ditto,	7	0	0
To *John Owen*, for 24 Days Ditto,	6	0	0
To *Oswald Peele*, for 2 Days Ditto	0	10	0
To *Richard Peters*, Esq; Secretary, his Secretary as Clerk of the Council,	15	0	0
To Ditto, for Services, *&c.* as per Account,	36	8	6
To *Charles Brockden*, Esq; Keeper of the Rolls, his Account,	25	7	9
To *Conrad Weiser*, Esq; for his Service as Interpreter, and Expences in Publick Affairs, to the 18th of the 6th Month, 1749,	173	6	0

To *Benjamin Franklin*, as Clerk of the House, and for Printing,	105	18	0
To *John Jervis*, for Service to the Committee of Accounts,	1	10	0
To *Lewis Evans*, a Present from the House,	10	0	0
To *Thomas Borden*, Door-keeper, for Attendance on the Assembly and Committees,	14	3	0
To *John Stephens*, for Entertaining *French* Prisoners,	58	11	0
To *Samuel Kirk*, Serjeant at Arms, his Salary,	8	0	0
To *Charles Stow*, Door-keeper to the Council, 45 Days at 2s. 6*d*.	5	12	6
To *Henry Ote*, for Damage done him by Indians,	5	0	0
To *James Brooke*, for Ditto,	2	0	0
To *Jane Teer, for Ditto*,	12	0	0
To *William Clark*, for Ditto,	1	10	0
To *Benjamin Hooton*, for Attendance on a sick Indian,	5	0	0
To *Dr. Richard Farmer*, for Medicines, *&c.* to said *Indian*,	3	16	1
To *Thomas M'Kee*, his Account of Provisions, *&c.* supplied the *Indians*,	5	8	0
To *James Sterret*, his Account,	5	0	0
To *William Dunwick*, for Mending *Indian* Guns,	4	9	3
To *David M'Neer*, for bringing a Man from *Lancaster*,	0	18	0
	£2,292	3	1

At an ASSEMBLY *held in* PHILADELPHIA, *the Fourteenth Day of* OCTOBER, ANNO DOMINI 1749.

BY the Returns of the Sheriffs of the respective Counties, it appears that the following Gentlemen were chosen to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania* for the Year ensuing, viz.

For *Philadelphia* County.	For *Bucks* County.	For *Chester* County.
John Kinsey,	*John Woolston*,	*Joseph Gibbons*,
Isaac Norris,	*Samuel Eastburn*,	*George Ashbridge*,
Edward Warner,	*Joseph Hampton*,	*Henry Hockley*,
Joseph Trotter,	*Mahlon Kirkbride*,	*Thomas Chandler*,
James Morris,	*Richard Walker*,	*Nathaniel Grubb*,
Oswald Peele,	*Griffith Owen*,	*Nathaniel Pennock*,
Owen Evans,	*Garrat Vansant*,	*Roger Hunt*,
Hugh Evans.	*John Hall*.	*Thomas Cummings*.

For *Philadelphia* City.
Israel Pemberton, *Thomas Leech*, } Burgesses.

For *Lancaster* County.
Arthur Patterson, *James Wright*, *Peter Worral*, *Calvin Cooper*.

For *York* County.
John Wright, *John Armstrong*.

And a Quorum of the Representatives being met, proceeded according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker, and *John Kinsey*, Esq; was unanimously chosen Speaker of this House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That *Edward Warner*, *Thomas Leech*, *Samuel Eastburn*, *Joseph Gibbins*, *James Wright*, and *John Wright* wait upon the Governor, and acquaint him, that a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker, and desire to know when he will be pleased to receive the House, that they may present their Speaker.

Then the House adjourned to next *Second-Day*, at Ten o'Clock in the Morning.

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would receive the House this Day at Eleven o'Clock, in the Council Chamber.

The Secretary attending, was called in, and said,

GENTLEMEN,

The Governor is now ready to receive the House in the Council Chamber.

Then the Speaker, with the whole House, waited on the Governor.

And being returned,

The Speaker reported, that the House had waited on the Governor, and presented their Speaker, and that the Governor was pleased to approve their Choice. That the Speaker had then, in the Name and Behalf of the House, claimed the usual Privileges, *viz.*

That the House, during the Time of their Sitting in Assembly, may enjoy Freedom of Speech in all their Propositions and Debates.

That the better to discharge the Business of the Publick, they may at all seasonable Times have free Access to the Governor.

That their Persons and Estates may be protected from all Arrest, during the Time of Privileges accustomed.

That it would please the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into a Resolve, nor give the least Credit to such Report. And lastly,

That his own (the Speaker's) unwilling Mistakes may be excused, and not imputed to the House.

All which he had requested as the just Rights and Privileges of the People of *Pennsylvania*, derived and confirmed to them by the Charters and Laws of this Province.

To which the Governor was pleased to answer, that he looked upon those Privileges as essential to the very Being of Assemblies, and that they should be by him inviolabley preserved.

Then the Qualifications by Law directed, were taken and subscribed, first by the Speaker in the Chair, and then at the Table by all the rest of the Members present, in their Order.

Resolved, That *Benjamin Franklin* be Clerk to this House for the ensuing Year,

And he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirk* be appointed Sergeant at Arms to this House for the ensuing Year.

A Petition from *Edward Kelly*, praying to be appointed Door-keeper to the House, was presented, and read.

Resolved, That *Edward Kelly* be Door-keeper to this House for the ensuing Year.

The Governor, by his Secretary, sent down a written Message to the House, with sundry Papers therein referred to, which were read, and the said Message follows in these Words, *viz.*

GENTLEMEN,

'BY the Letter herewith delivered you, which I have lately had the Honour to receive from his Grace the Duke of *Bedford*, one of His Majesty's principal Secretaries of State, you will perceive that the Paper Money of the several Plantations in *America, is again like to come under the Consideration of* the Parliament at their next Sessions, which will probably be in the Month of *December*, or *January:* And as I esteem it a principal Part of my Duty to have a watchful Care for the true Interest of the People under my Government, I have made use of the earliest Opportunity to communicate to you, their Representatives, His Majesty's Orders to me upon that Head, thereby putting it in your Power to obviate any Preju-

dices or mistaken Notions that may have been conceived with Regard to the Currency of this Province, before they can be carried into Execution.

'I take it for granted, we are all sensible of the mischievous Tendency of the Bill that was brought into Parliament the last Year, to regulate and restrain Paper Bills of Credit in the Plantations; and as it is not improbable that something of the same Kind may be again offered in the ensuing Session, I persuade myself you will think it convenient to give your Agent full Instructions upon this Subject, in case it should become necessary for him to oppose it. The honourable Proprietaries at that Time laboured indefatigably, and with Success to avert the Mischiefs that threatened this Province, from the passing of the said Bill; and I have it in Command from them, to assure you of their Assistance upon all future Occasions, wherein the Welfare and Happiness of the People of this Province may be concerned.

'Although this be not the usual Time of your Sitting to do Business, yet I hope, in Consideration of the Importance of this Matter, you will, before your Adjournment, furnish me with a clear and exact State of our Paper Currency, to be transmitted forthwith, pursuant to the Directions contained in the Letter before mentioned.

'The last Assembly having adjourned before I had finished with the *Indians*, I could only acquaint them with a Part of their Business; what passed afterwards between me and them, you will see in the Minutes of Council, which the Secretary has my Orders to lay before you.

'The Committee of Assembly appointed to take Care of the *Indians*, conceiving that they had no Authority to make any further Provision for them, than during their Stay in the City, the Interpreter, at my Request, defrayed the Expences in their Return, which you will please to order to be repaid to him.

Oct. 16, 1749. JAMES HAMILTON.

To JAMES HAMILTON, *Esq; Deputy Governor of His Majesty's Province of* Pennsylvania, *in* America, *and in his Absence, to the Commander in Chief of the said Province for the Time being.*

SIR,

'UPON the 30th of *May* last, the House of Commons, presented an humble Address to the King, desiring, that His Majesty would be graciously pleased to give Directions, that there be laid before that House, in the next Session of Parlia-

ment, an Account of the Tenor and Amount of all the Bills of Credit, which have been created and issued in the several *British* Colonies and Plantations in America, as well those under Proprietors and Charters, as under His Majesty's immediate Commissions and Government, that shall be then outstanding, distinguishing the Amount of the same in each Colony or Plantation, and the respective Times, when such Bills so outstanding, were issued, with the Amount of the said Bills in Money of *Great-Britain*, both at the Times when such Bills were issued, and at the Time of preparing the said Account, and also the Times fixed for the calling in, and sinking and discharging such Bills, and the Funds appointed for that Purpose. And I am now in Consequence thereof, commanded by His Majesty, to signify His pleasure to you, that you should order all such Accounts, so far as they relate to your Government, to be prepared and transmitted forthwith to me, that I may lay the same before His Majesty, and receive His farther Pleasure thereupon, with regard to their being laid before the Parliament.

I am, Sir, your most obedient humble Servant,
Whitehall, July 19, 1749. BEDFORD."

(See the Minutes of Council, dated *August* 16, 1749)

The Minutes of Council, *&c.* being read,

The House adjourned to Three o'Clock, *P.M.*

Richard Walker, returned a Representative for the County of *Bucks*, and *Nathaniel Grubb*, returned a Representative for the County of *Chester*, appearing in the House, took and subscribed the Qualifications required to be taken by Members of Assembly, and then took their Places in the House accordingly.

The Governor's Message was again read, and considered.

Ordered, That *Thomas Leech*, *Isaac Norris*, *Israel Pemberton*, *James Morris*, and *Edward Warner* be a Committee to prepare a Draught of an Answer to the Governor's Message, and an Account of the State of the Paper Money of this Province, to be transmitted Home, in Obedience to the Commands of the Crown.

A Petition from *James Webb*, of *Lancaster* County, was presented to the House, and read, setting forth, that he is credibly informed it is the Opinion of a great Number of the Freeholders and other Electors of the said County, that he had, at the last Election, a considerable Majority of lawful Votes to be a Representative of the said County; but that by the Frauds then committed, which he doubts not will appear to the House, in the Deposition to be laid before them, he was

not returned: And as the good People of this Province will be deprived of one of their most valuable Privileges, if such Frauds and irregular Practices are suffered to continue without Notice, the Petitioner prays that the House would take the same into Consideration, and apply such Remedy in the present Case, and take such Measures to prevent the like hereafter, as to their Wisdom shall seem meet. *Ordered to lie on the Table.*

Sundry Petitions from a Number of Freeholders of *Lancaster* County, were also presented to the House and read, setting forth, that at the last Election for the said County, the People pressed and crouded in a Body to deliver their Tickets, which some presented to the Inspectors, at the Ends of cloven Sticks, who received them in such Numbers, and in so tumultuous a Manner, that it was impossible the Names of the Voters should be known and entered, as the Law and the Qualifications of the Inspectors require; by which Means great Frauds were committed, Tickets put in by Boys, and repeated several Times unnoticed by the Inspectors, so that the Number of Votes in the casting up, amounted to above double Number of Voters in Town, from the best observations and Calculation. That it is apprehended, the Officer and Persons appointed to assist him in holding the Election, from the Disuse of calling for the list of Voters, and comparing it with the Number of Tickets read, in order to discover Frauds, have been encouraged to proceed in the Manner above: And praying that the House would take the Premises into Consideration, and order the Sheriff and Inspectors to appear before the House with their Lists of Voters to be examined, by which the Petitioners doubt not the Fraud will appear, without further Scrutiny, and the Election be deemed void: and that the House would grant such other Relief in the Premises, and for the future Preservation of the Rights of Electors, and preventing Frauds, as shall seem meet.

Ordered to lie on the Table.

Sundry Affidavits accompanying the foregoing Petitions, were also read, and referred to further Consideration.

Resolved, That *Richard Partridge*, Esq; be continued Agent of this Province at the Court of *Great-Britain* for the ensuing Year.

Ordered, That *Isaac Norris*, *Israel Pemberton* and *Thomas Leech* be, with the Speaker, a Committee of Correspondence.

Ordered, That *Isaac Norris*, *Edward Warner*, *Thomas Leech*, *Oswald Peele*, *Mahlon Kirkbride* and *Thomas Cummings* be a Committee to audit and settle the Accounts of the General

Loan-Office, and other publick Accounts, and to sink and destroy the Bills of Credit received in Exchange, pursuant to the late Paper Money Acts; and they have Power to send for Persons, Papers and Records.

Ordered, That *Thomas Leech*, *Joseph Trotter*, *Joseph Hamton*, *George Ashbridge*, *James Wright* and *John Wright* be a Committee of Aggrievances for the ensuing Year; and they have Power to send for Persons, Papers and Records.

Ordered, That the Minutes be printed, and that *Thomas Leech* and *Israel Pemberton* be a Committee to revise them before they are printed.

The Interpreter's Account of Expences on the *Indians* in their Return, laid before the House by Order of the Governor, is referred to the Committee appointed to prepare an Answer to the Governor's Message, who are to report thereon to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Hugh Evans, returned a Representative for the County of *Philadelphia*, appeared in the House, and took and subscribed the Qualifications by Law required of Members of Assembly, and then took his Place in the House accordingly.

The Committee of Aggrievances presented a Paper to the House, which was read, and follows in these Words, *viz.*

WE, the Committee of Aggrievances, do humbly represent to this House, that the Bounty allowed by a late Law upon Squirrel Scalps, is a very great Grievance; and the Expences thereby arising, are likely to prove so large, that the Taxes allowed to be raised by the County Levy Act will not be sufficient to defray the same. And we are of Opinion, that the said Act, granting the Bounty, has not answered the End designed thereby; therefore we do humbly propose that the said Act be repealed.

THOMAS LEECH, JAMES WRIGHT,
JOSEPH TROTTER, JOHN WRIGHT."

Resolved, That the Consideration of the Squirrel Act be postponed to the next Sitting.

The Petitions from *Lancaster* County, complaining of an undue Election and Return of Representatives for the said County, were again read;

Ordered, That the Petitioners serve the Sheriff and Inspectors of the late Election in the said County, with Copies of their Petitions, and of the Affidavits accompanying them; and give the said Sheriff and Inspectors Notice to attend

the House on the first Day of the next Sitting. And that the Complainants and their Witnesses attend at the same Time.

Then the House adjourned to Three o'Clock, *P.M.*

The Gentlemen appointed by the last Assembly to take Care of the *Indians* during their Stay in Town, made a Report of their Doings, and laid their Accounts before the House, which were read, and approved of.

The Committee to whom the Interpreter's Account was referred, report, that they have examined the same, amounting to £ 87 19 2, and are of Opinion it ought to be allowed; which was agreed to by the House, and an Order drawn accordingly for the Payment.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from *William Magaw* and *James Silver*, in Behalf of themselves and others, the Inhabitants of the North Valley, on the West-side of the River *Sasquehannah*, in the County of *Lancaster*, was presented to the House and read, setting forth, that the Inhabitants of the said Valley are at a very great Distance from *Lancaster*, by Reason whereof, and of the Difficulty of passing *Sasquehannah* in the Winter Season, they cannot often attend the Courts; and the Expence of bringing Criminals to Justice, and of serving Writs and other Processes at Common Law is very heavy and grievous to the said Inhabitants, the poorer sort of whom are often obliged to suffer Felony and other enormous Crimes to pass unpunished, rather than attend the Prosecution of them at so great a Distance; which tends to the Increase of such Crimes, and the Encouragement of evil disposed Persons to harbour and lurk in Places where the Means of bringing them to Justice are attended with so many Inconveniences; that the Inhabitants of the said Valley and Places adjacent, are more numberous and their respective Townships larger, and at a greater Distance from the Town of *Lancaster* than those of the Southern Valley, lately made into a distinct County; and therefore praying, that the House would take the Premises into their prudent and equitable Consideration, and grant the Petitioners Leave to bring in a Bill for making the said Northern Valley and Places adjacent a County of itself, distinct from the County of *Lancaster*, in such Manner as to the House shall seem meet.

Ordered to lie on the Table.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the

House, and it was read by Order, and ordered to be transcribed, that it may be sent up to the Governor.

The Committee also made a Report on the State of the Currency of this Province in Writing, which was read and approved, and follows in these Words, *viz.*

In Obedience to the Order of the House, we have taken into our Consideration the present State of the Bills of Credit which have been issued, and are now current in the Province of Pennsylvania, *and the Times appointed by Law for paying in and sinking the same; together with the Value of the whole Sum of those Bills in Sterling Money of* Great-Britain.

And we do report,

THAT in the Year 1739, an Account was settled by the Assembly, of all the Bills of Credit issued by several Acts from their first Emission in the Year 1723, to that Time; by which it appears, that the Sum of £ 80,000, and no more, was then current in this Province; which being reduced to Sterling Money of *Great-Britain*, amounted to £ 50,196. At which Time also, the same Assembly, upon an exact and careful Enquiry, settled the Rates of Gold and Silver Coin, by ascertaining the Prices at which they were received and paid, or bought and sold, from the Year 1700 to that Year. Since which, our Bills of Credit have continued nearly the same, both in the total Sum, and the Value, when reduced to Gold and Silver, or Sterling Money. But such Alterations and Addition as have been since made, we have comprized in the following Account.

In the Year 1745, an Act of Assembly was past for continuing the Currency of the aforesaid £ 80,000 for sixteen Years; during the first ten Years whereof, the whole Sum is to be kept up, by lending out, or re-emitting the yearly Quotas, or Payments, as they become due, upon the same real Securities, and under the same Penalties and Restrictions, as directed by former Acts: In which, besides obliging the Borrowers to give Land, Plate or Houses in Security, of double the Value of the Sum borrowed, it is further provided, that no one Person shall borrow more than £ 100. And after the Expiration of ten Years as aforesaid, the Act provided, that one sixth Part of all the Bills of Credit shall be paid yearly, in order to be sunk and destroyed; by which Means the whole £ 80,000 is to be paid in and destroyed in sixteen Years from the Time of issuing those Bills, which was the 15th of *October*, 1746.

In the Year 1746, an Act was past giving £ 5,000 to the King's Use, to be sunk in ten yearly Payments, of £ 500 each,

by the Treasurer, out of Money arising from the Excise, yearly payable into his Hands, Which Bills of Credit were accordingly made and issued, in Pursuance of the said Act, and applied by Colonel *Thomas*, then Lieutenant Governor, to an Expedition at that Time on Foot against *Canada:* So that the whole Amount of Bills of Credit current in this Province at this Time is £ 85,000, and no more; which reduced to Sterling Money of *Great-Britain* is £ 53,333 6 8.

Permit us to add, that our Paper Bills being found by Experience much below the Sum necessary to carry on our Trade, which of late Years has been very much encreased, especially to *Great-Britain;* and yet should we be deprived of those Paper Bills, small as the Sum is, it would in a great Measure disable us from paying the yearly Balance of Trade against us to our Mother Country, and consequently oblige us to engage in sundry Manufactures here, which we have from thence, Though our Payments at this Time are chiefly in Gold and Silver, which for several Years have passed current among us at *Eight Shillings* and *Six-pence per* Ounce for Silver, and *Six Pounds Five Shillings per* Ounce for Gold; and at those Rates are continually remitted Home, but must be detained here, if we are deprived of our other Currency.

Submitted to the Correction of the House, by

ISRAEL PEMBERTON, EDWARD WARNER,
THOMAS LEECH, JAMES MORRIS."

Then the House adjourned to Three o'Clock, *P.M.*

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

WE gratefully acknowledge 'the watchful Care,' the Governor hath been pleased to take 'for the true Interest of the People under his Government," whom we represent; in having made use of this early Opportunity to put it in our Power, 'to obviate any Prejudices or mistaken Notions, that may have been conceived with Regard to the Currency of this Province, before they are carried into Execution.'

Sensible of 'the mischievous Tendency of the Bill that was brought into Parliament the last Year, to regulate and restrain Paper Bills of Credit in the Plantations:' And apprehensive 'that something of the same Kind may again be offered, in the ensuing Session,' we are fully of Opinion with the Governor, 'to give our Agent full Instructions on the Subject,' that 'in case it should become necessary, he may oppose it.'

We also gratefully acknowledge the Obligations we are under to our Proprietaries, both for the Assistance they have already been pleased to afford us, in relation to our Bills of Credit, as also for such as they promise us in the Future.

Thought it be not the usual Time of our Sitting to do Business, yet the Importance of the Matter recommended to us, is such, that pursuant to the Governor's Recommendation, we have thought it necessary 'to furnish the Governor with a clear and exact State of our Paper Currency, to be transmitted forthwith,' pursuant to the Directions he hath received. To this End, a Committee were appointed, whose Report, which hath been approved of by the House, we send herewith, from whence we think it will evidently appear, that due Care hath been taken to support its Credit, and that the Sum total in Proportion to our Commerce, is very small. And yet small as it is, were we deprived of it, would have a Tendency to disable us from paying the Balance of Trade against us, to our Mother Country, and consequently put us under the Necessity of engaging in divers Manufactures here, which at present we are supplied with at cheaper Rates from thence.

We shall take the necessary Care to discharge the Remainder of the Money due for the Maintenance of the *Indians*, in their Return homewards; we observe their frequent Visits put the Province to considerable Charge, whereas Part of their Business often is either for the Sale of Land to the Proprietaries, or other Matters relative thereunto: We therefore hope the Governor will take an Opportunity of recommending it to the Proprietaries, that they may bear a Share of the Expence, who receive so great a Part of the Benefit by the coming of the *Indians*."

And the said Message being signed by the Speaker, per Order of the House,

Ordered, That *Thomas Leech* and *James Morris* wait upon the Governor with the same, and with a Copy of the Report of the Committee relating to the Currency; and acquaint him that the House inclines to adjourn to the 20th of *November* next, if he hath no Objection to that Time.

The Gentlemen return and report, that they waited on the Governor, and delivered what they had in Charge, according to Order, and that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment.

Then the House adjourned to the 20th Day of *November* next.

THE House met pursuant to their Adjournment.

Ordered, That *Edward Warner* and *James Morris*, wait upon the Governor, and acquaint him, that the House is met according to their Adjournment, and ready to receive any Thing he may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

John Hall, returned a Representative for the County of *Bucks*, appearing in the House, took and subscribed the Qualifications by Law appointed to be taken and subscribed by Members of this House, and then took his Seat in the House accordingly.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and that the Governor was pleased to say, if any Thing should occur to him proper for the Consideration of the House, during their Sitting, he would communicate it by Message.

The Petition of *James Webb*, and the other Petitions from a Number of the Freeholders of *Lancaster* County, complaining of an undue Election and Return for the said County, were again read.

And the House being informed that the Petitioners are attending, and desire to be heard by Counsel in support of their Petition;

Ordered, That the Petitioners have Leave to be heard by Counsel at the Bar of the House; and that the Sheriff and Inspectors have also Leave to be heard by Counsel in support of the Election, if they think fit.

The Petition of *William Magaw* and *James Silver*, Agent for Inhabitants of the *North Valley*, over *Sasquehannah*, in Behalf of themselves and the said Inhabitants, praying that the said Valley may be erected into a separate County, was again read, and

Referred to further Consideration.

Ordered, That both the Parties concerned in the Affair of the *Lancaster* Election attend the House this Afternoon, in order to a Hearing; and that Notice be given them accordingly by the Serjeant at Arms.

Then the House adjourned to Three o'Clock, *P. M.*

An Account of Goods presented to the *Indians* at the last Treaty, amounting to £ 507 16*s* 2*d*. was laid before the House, and allowed to be paid to the several Persons who furnished the same.

A Petition from the Sheriff and two of the Inspectors at the late Election for *Lancaster* County, was presented to the

House and read, setting forth, that not being served with timely and due Notice of the Order of this House at the last Sitting, it was rendered impracticable for the Petitioners to bring several material Evidences who could justify the Proceedings at the said Election; and therefore praying farther Time may be allowed, before the House proceed to a Hearing and Determination on the said Affair.

Ordered to lie on the Table.

The House being informed, that the Parties are attending according to the Order of the Day, they were called in; and the Petitioners against the said Election being informed by the Speaker of the Complaint that they had not given due Notice to the Sheriff and Inspectors of the Order of the House; they acquainted the House at what Times, and in what Manner they had given the said Notice; And the Counsel for the Defendants alleging that such Notice was not sufficient, and therefore praying farther Day: And the Counsel for the Petitioners urging that they had been at great Expence, which would be lost if the Hearing should be postponed; that the Burthen of proving Lies upon them, and that they are now ready with their Witnesses to prove the Allegations in their several Petitions; and therefore praying that the House would at this Time proceed to the Hearing:

The Parties were ordered to withdraw.

And after some Consideration and Debate, it was

Resolved, That the House will proceed to hear the Petitioners at this Time, and also what the Sheriff and Inspectors may have to offer in their Justification; and if they have any Material Witnesses that cannot now be adduced, they shall be allowed farther Day.

And the Parties being called in and acquainted with the Resolution of the House;

The House adjourned to Ten o'Clock To-morrow Morning.

A Petition from sundry Inhabitants of the City of *Philadelphia* was presented to the House and read, setting forth that it hath been the frequent Practice of the Merchants concerned in the Importation of *Germans* and other Foreigners into this Province, for the sake of Lucre, to receive into their Vessels a much greater Number than could be fitly accommodated; whereby epidemic Diseases have been produced amongst them, and a great Mortality hath ensued, to, the Loss of some Hundreds in one Vessle, and the great Affliction and Discouragement of their surviving Relations, some of which have been obliged by their own Labour to defray the Freight (or Passage-Money) of the Dead; That sundry other Incon-

veniences have arisen to these poor Strangers from this Practice and particularly their being obliged to leave their Chests, Clothes and other Furniture behind them, to their great Perplexity afterwards, if not their entire Loss of them: That besides the Injury done to these Germans by this inquitous and infamous Practice, the Inhabitants of this Province become greatly endangered by the Importation of mortal Distempers, which are found by sorrowful Experiences to be easily propagated in this Climate; that the Want of suitable Buildings and other Conveniences for the comfortable Reception and Accommodation of such distempered Strangers, had probably forwarded, and perhaps occasioned the Death of many, as it has made it difficult and almost impossible to procure faithful Persons to take the necessary Care of them; by which Neglect the Sick have been induced to leave the Places appointed for them, and to wander from one Place to another, to, the manifest Danger of the Inhabitants, by spreading the Distempers they were infected with, over this and the neighboring Provinces: And praying, that the House would take the Premises into Consideration, and make such provisions for the Prevention of such Practices, the Relief of those Strangers, and the Safety of the Inhabitants, as to their Wisdom shall seem meet.

Ordered to lie on the Table.

The House proceeded to the Hearing of the Matters contained in the several Petitions complaining of an undue Election and Return for the County of *Lancaster*.

And the Parties with their Counsel being called in;

The Counsel for the Petitioner was heard, and examined several Witnesses on their respective solemn Affirmations, in order to prove, that the Election was carried on in so tumultuous a Manner, that no regular List could be taken of the Voters Names; that Votes by Proxy were allowed, particularly two received by *Christian Herr*, one of the Inspectors; that Votes given in by Persons under Age were allowed, and received by the Inspectors in great Numbers, particularly one received by *Isaac Saunders*, an Inspector; that Person acted as Inspectors, who were not legally chosen; that many of the Voters voted repeatedly, some three, four, five, and some ten times; that one of the candidates, who is returned a Representative, encouraged the giving in more Votes than one by the same Person in his Favour; and that the Number of Voters did not exceed a Thousand, though the Tickets found in the Box were more than *Two Thousand Three Hundred*.

And the Counsel for the Petitioners having gone through Part of their Evidence, the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Matters of the several Petitions complaining of an undue Election and Return for the County of *Lancaster* be adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The House proceeded to the further Hearing of the Matters of the several Petitions complaining of an undue Election and Return for the County of *Lancaster;*

And the Parties being called in;

The Counsel for the Petitioners examined several other Witnesses in support of their Petitions, and to make good their several Allegations against the Regularity and Validity of the Election.

Then the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Matters relating to the said Election, be adjourned till To-morrow Morning.

Then the House adjourned to Ten o'clock To-morrow Morning.

A Representation from *David Stephens* was laid before the House and read, setting forth, that the Law to prevent the killing of Deer out of Season, does not answer the good Purposes for which it was intended, the Penalty being too small, and the Time allowed for killing Deer too long; that in some Years a greater Number of Deer are killed when out of Season than in Season, though neither Flesh nor Skins are then of much Value; and therefore recommending an Amendment of the said Law to the Consideration of the House.

Ordered to lie on the Table.

A Petition from a Number of Inhabitants of the County of *York*, setting forth, that the Expence of paying *Three-pence* per Head for every Squirrel killed in the said County, according to a late Law of this Province, will vastly exceed the Damage done by those Creatures, and occasion a Tax in that new County too heavy to be borne, as they have now all the necessary publick Buildings to erect, which must likewise be paid for by a Tax on the Inhabitants; and therefore praying that the said Act may be repealed; was presented to the House, and read, and *Ordered to lie on the Table.*

The House proceeded to the further Hearing of the Matters of the several Petitions complaining of an undue Election and Return for the County of *Lancaster;*

And the Parties being called in;

The Counsel for the Petitioners examined several other Witnesses, in further support of the Allegations of the several Petitions.

Then the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Matters contained in the said Petitions be adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The House proceeded to the further Hearing of the Matters of the several Petitions complaining of an undue Election and Return for the County of *Lancaster*.

And the Parties being called in;

The Counsel for the Petitioners examined another Witness in support of their Allegations, who laid before the House several Papers, said to be Lists taken of the Voters Names by some of the Clerks at the *Lancaster* Election: And having gone through their Evidence;

The Counsel for the Sheriff and Inspectors was heard, who moved, that the said Inspectors might be first examined concerning the general Conduct of the said Election, which they had a Number of Witnesses to prove had been carried on fairly and impartially: But the Counsel for the Petitioners opposing it as irregular, that the Inspectors, who were all involved in the Accusation, should be allowed on their own Qualifications to exculpate themselves, and praying that the House would not admit them so to do, but examine their Witnesses only.

The Parties were ordered to withdraw.

And after some Time spent in Debate thereupon, the further Consideration thereof was adjourned till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House resumed the Consideration of the Affair of the *Lancaster* Election, and it was agreed that the Sheriff and Inspectors should be qualified, and heard in their own Justification; and that they shall produce and lay before the House their Lists of Voters, Tallies, *&c.*

Then the Parties were called in;

And the Council for the Sheriff and Inspectors produced the Lists and Paper of two of the said Inspectors, which were said to be all that could at present be procured; and then proceeded to examine Witnesses, on their several Affirmations, to prove, that the Election had been carried on as fairly, quietly and regularly, as had been known there for

many Years; that the Tickets said to be given in by Proxy were only of two Persons, who stood within Sight and Hearing of the Inspectors, and owned their Tickets, though by Reason of the Press they could not come near enough to deliver them with their own Hands; that Votes offered by Persons under Age, and others, who had no Right to vote, or had voted before, though received by the Inspectors to get rid of their Importunity, were not put into the Box, but torn and destroyed; that the Person said to have acted as an Inspector, though not legally chosen, only received a few Tickets, was pulled off the Table as soon as he was perceived receiving them by the Inspectors, and the Tickets he had taken were destroyed; that the particular Charge against the Candidate returned could not, from several Circumstances, be true; and that the Number of Voters could not be so small as represented, but must have been equal to the Tickets found in the Box.

Then the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Merits of the *Lancaster* Return be adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

John Woolston requested Leave to be absent a few Days on urgent Affairs, which was granted.

It being moved, that the Collector of Excise for the County of *Bucks* is dead;

Resolved, That *John Hall* be appointed Collector of Excise for the said County in his stead.

A Message from the Governor, by the Secretary, *viz.*

Mr. Speaker.

The Governor recommends it to the Assembly, to order the Payment of whatever shall appear to be due to the Government of the Massachusetts, *on the Estimates made in the Papers herewith delivered.*

And the Secretary having laid before the House a Letter and sundry Papers received from the Lieutenant Governor of the *Massachusetts-Bay*, withdrew.

And they were read, and follow in these Words, *viz.*

To the Honourable JAMES HAMILTON, *Esq; Governor of the Province of* Pennsylvania, *&c.*

SIR,

I AM informed that his Excellency Governor *Shirley* had settled an Agreement with the Governor of *Canada* (so far as related to this Government) that the Charge of transporting *Eng-*

lish Prisoners should be defrayed by the *English* Governments, and the Charge of transporting *French* Prisoners by their Government; and that upon his Excellency's informing the Governors of the several Colonies, the most of them had signified their Approbation of this Method. I am likewise informed, that in the Year 1746, there were brought into this Province in a Flag of Truce, sent by the Governor of *Canada*, called the *La Vierge de Grace*, a great Number of *English* Captives, some of them being *Europeans*, but the most of them belonging to the *English* Provinces and Colonies in *America;* and that about the same Time his Excellency had sent a Flag of Truce to *Canada* with *French* Prisoners at the Expence of this Government; and that his Excellency sent circular Letters to the Governors of the *English* Colonies aforementioned, with Lists of the several Prisoners belonging to their respective Governments; wherein he informed them, that as soon as the Accounts of the Charges of the Flags of Truce, and the Proportions of the several *English* Governments thereto were adjusted, he would send them to the said Governors, that so they might reimburse the Governor of *Canada* what Charges he had been at for transporting the *English* Prisoners belonging to their Government. Soon after this the Court-house in *Boston* was burnt, and therein all the Papers relating to the fitting out the *French* Flag of Truce, which made it necessary that those Accounts should be had from *Canada*, in order to state the particular Part each of the *English* Governments ought to bear to the Charge of transporting their Prisoners; and I find the said Accounts were sent here a little before Governor *Shirley's* Departure, and an Account has been stated between the said Governor *Shirley* and the Governor of *Canada*, and sent to *Quebec* by a Person gone there for the Redemption of Captives; and the Governor of *Canada* has been assured that all possible Care should be taken for recovering from each Government their Proportion of the Charge. I shall now send your Honour a Copy of the Account, by which you will perceive the Number of Persons belonging to your Government is six, and the Proportion of the Charge. £ 174 8 5, which I must pray your Honour would cause to to paid into my Hands as soon as may be, and the same shall be remitted to the Governor of *Canada;* and I doubt not your more ready Compliance, when you consider, as appears by the Account, that this Province will be obliged to pay in Proportion beyond any other Government, as the greatest Part

of the Charge of the *Europeans*, and other uncertain Persons, both in this Vessel, and another sent to *Louisbourg*, will fall on them. I am

SIR,

Your Honour's most humble,
and most obedient Servant,
S. PHIPS."

The Charge of the Ship *La Vierge De Grace*, amounted, as appears by the Contract, to 10, 000 Livres, each Livre being valued at Ten Shillings of the Currency of *New-England*, makes the Sum of £ 5000.

The Proportion of each Concern or Interest in said £ 5000 is as follows.

59	*Massachusetts-Bay*,			
16	The same taken at *Nova Scotia*.	£ 2180	4	8
75				
29	*New York*,	843	0	5
6	*New Hampshire*,	174	8	5
6	*Pennsylvania*,	174	8	5
6	*Rhode-Island*,	174	8	5
2	*Connecticutt*,	58	2	9
2	*New-Jersey*,	58	2	9
1	*Bermuda*,	29	1	5
1	*Annopolis Royal*,	29	1	5
1	*Shirley Galley*.	29	1	5
9	*Maryland*,	319	15	4
17	*Europeans*,	494	2	8
11	Taken in *Nova Scotia*,	261	12	6
6	Uncertain,	174	8	5
172		5000	0	0

Boston, New-England, September 12, 1749. *Per* J. Wheelwright, Commissary General.

A List of Prisoners which arrived at *Boston* from *Quebec*, *in* the Ship *La Vierge de Grace*, belonging to the Province of *Pennsylvania*.

Susan Philips, *William Davis*, *Joseph Bryant*,
John Windridge, *John Steward*, *Philip Martin*.

And the said Message and Papers were referred to further Consideration.

The House proceeded to the further Hearing of the Merits of the Return of Representatives for *Lancaster* County.

And the Parties being called in;

The Counsel for the Sheriff and Inspectors proceeded in their Evidence, and examined several Witnesses in support of the Return.

Then the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Merits of the *Lancaster* Election and Return be adjourned till the Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House proceeded to the further Hearing of the Merits of the *Lancaster* Return.

Then the Parties being called in;

The Sheriff and Inspectors severally, on their respective Affirmations, gave an Account of their Conduct in the late Election; and having laid before the House a List of farther Witnesses that might be produced in their Justification, if Time were allowed for that Purpose;

The Parties were ordered to withdraw.

Ordered, That the farther Consideration of the Affair of the *Lancaster* Election be referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

A Petition from James *Whitehead*, Keeper of the Workhouse in the City of *Philadelphia*, was presented to the House and read, setting forth, that the Allowance appointed for the Support of the Lunatics under his Care is not sufficient, all Provisions being enhanced in Price; that he had applied to the Commissioners, who refuse to redress the Grievance, as there is no law to warrant their so doing; that the Petitioner hoping to be reimbursed, did advance *Nine Pounds* the last Winter, to fix a Stove, and provide Wood to prevent those poor Wretches perishing in the Extremity of the Season; that he had represented their Case to the Magistrates, who refer him to this honourable House: The Petitioner therefore prays, that the House would take the Premises into Consideration, and direct such Measures for Relief of those miserable Creatures hereafter, and for the Reimbursement of the Petitioner's past Expences in their Behalf, as shall seem meet.

Ordered to lie on the Table.

Ordered, That the new Collector of Excise for the County of *Bucks* do collect the Arrears of the Excise outstanding at the Death of the late Collector.

Then the House proceeded to consider the Affair of the *Lancaster* Election.

And the Members returned for the said County being withdrawn,

Resolved, That they be absent during the Debate on the Validity of their Election.

Then the Members were called in, and acquainted with the Resolution of the House; but that, if any of them have any Thing to offer in regard to the Validity of the Election, they now have Liberty so to do.

And the Members having offered what they thought fit concerning it, withdrew.

Ordered, That Candles be brought in.

And they were brought in accordingly.

And after long Debate, the Question was put, that the House proceed at this Time to determine on the Election now controverted? *Passed in the Negative.*

The House taking into Consideration the Message from the Governor, and the Papers accompany the same,

Ordered, That *Edward Warner* and *James Morris* wait upon the Governor, and acquaint him, that the House remembers no Instances wherein the late Governor entered into any publick Engagement, without first communicating it to the House; that they remember no Proposition of that Sort made to them; that before they come to any Result in the Matter, they are inclinable to search their Minutes on this Account, and therefore postpone the farther Consideration thereof to their next Sitting: And that the House propose now to adjourn to the first of the Eleventh Month next.

Resolved, That the Petitioners for a new County in the *North Valley*, on the West-side of *Sasquehannah*, have Leave to bring in a Bill at the next Sitting, pursuant to the Prayer of their Petition.

Ordered, That the further Hearing of the Merits of the late *Lancaster* Election be post-poned to the next Sitting: That the Sheriff and Inspectors of that Election, with their Clerks, do then accordingly attend the House; and that the Clerks do then produce such of their Papers or Lists of Voters as are now wanting; that the Clerk of this House do serve the Sheriff with a Copy of this Order, who is to serve Copies of the same on the Inspectors and their Clerks: And if the Speaker is applied to for any Warrants or Orders to bring any Evidence or Witness relating to this Affair, he his hereby authorized to issue the same, And further, that if the Peti-

tioners have any Thing further to offer to the House in support of their Petition, they do attend at the same Time.

Ordered, That the Sum of *Two Hundred Pounds* Sterling be remitted to the Agent by the Committee of Correspondence, to remain in his Hands for defraying Expences arising on his Negotiations in Behalf of this Province at the Court of *Great-Britain*.

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same according to Order; and that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment.

Then the House adjourned to the first Day of the next Eleventh Month.

THE House met pursuant to their Adjournment.

Ordered, That *Edward Warner* and *Thomas Leech* wait upon the Governor, and acquaint him, that the House is met according to their Adjournment, and ready to receive any Thing he may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Arthur Patterson, returned a Representative for *Lancaster* County, appeared in the House, and having taken and subscribed the Qualifications by Law appointed, took his Seat in the House accordingly.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and that the Governor was pleased to say, he had nothing at present to lay before the House; but if any Thing proper for their Consideration should occur to him during their Sitting, he would communicate it by Message.

A Petition from a Number of the Inhabitants of the County of *Bucks* was presented to the House and read, setting forth, that the Method of obtaining Satisfaction for small Trepasses and Damages, being attended with the same Costs and Difficulty, as in Prosecuting the greatest Trespas or Damage whatsoever; the injured Party generally rather chuses to suffer, than to presecute so much to his own Cost and the cost of the Offender; and therefore praying, that some Method may be provided for the more easy obtaining Satisfaction of small Trespasses and Damages, as to the Wisdon of the House shall seem meet.

Ordered to lie on the Table.

A Petition from divers Freeholders and other Inhabitants of the County of *Bucks*, setting forth, that the Act for the Destruction of grey Squirrels hath nearly answered the good End thereby intended, very few Squirrels now appearing in the Province; that if the said Act should be now repealed, the Expence which the Province has lately been at for destroying them, would in a great Measure be lost, since they might in a few Years encrease again to prodigious Numbers, as they did from a low Beginning, in the Spring after the hard Winter in 1740, and therefore praying that the said Act may not be repealed, but continued as long as there are any Squirrels to destroy; was presented to the House and read, and

Ordered to lie on the Table.

The House being informed that the Sheriff and Inspectors of *Lancaster* County were attending with their Witnesses, according to the Order of the House,

Resolved, That the House will this Afternoon proceed to the Hearing of the Merits of the *Lancaster* Election and Return.

Then the House adjourned to Three o'Clock, *P. M.*

The House proceeded to the further Hearing of the Merits of the *Lancaster* Return;

And the Sheriff and Inspectors being called in, they produced several Witnesses, who were examined on their Affirmations in support of the Election, and Justification of their Conduct therein.

Then they were ordered to withdraw.

Ordered, That the further Hearing of the Merits of the said Election and Return be adjourned till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from a Number of the Inhabitants of *Lancaster* and *Chester* Counties was presented to the House and read, setting forth, that the Practice of entailing Estates in this Province hath been found very prejudicial to many, without producing any valuable Advantage to the Publick; that some in Possession of entailed Estates falling into Decay by the Hand of Providence, are reduced to great Streights, being cast into Prison for their Debts, and not being able to sell any Part of their Lands to pay those Debts, the Creditors lose their Money, and the Debtors Children enjoy the Estate, without paying any Part of their Parents Debts; that others

being prevailed on to be bound for such Debtors, imagining the Lands in their Possession were entirely their own, have after the Death of those Debtors been obliged to sell their own Lands to pay such Debts, to the Ruin of their own Children; while the debtors children as before, come into full and free Possession, without being accountable to their Parents Sureties; and therefore praying that the House would take the Premises into Consideration, and prepare such a Law for breaking those Entails, as to their Wisdom shall seem meet.

Ordered to lie on the Table.

The House proceeded in the further Hearing of the Merits of the *Lancaster* Election;

And the Sheriff and Inspectors being called in, produced several other Witnesses, in support of the said Election, and Justification of themselves, and of the returned Member, who had been charged with encouraging Persons to give a Plurality of Votes in his Favour; and the Inspectors laid before the House the Lists and Papers of their several Clerks, and also a List of the Taxables in *Lancaster* County, amounting to 4598.

Then they were ordered to withdraw.

Ordered, That the further Consideration of the Affair of the said Election be referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

Another Petition from sundry Inhabitants of *Lancaster* and *Chester* Counties, setting forth the many Inconveniences attending the Practice of entailing Estates in this Province, and praying that a Law may be provided to make them void; was presented to the House, and read, and *ordered to lie on the Table.*

Ordered, That the absent Members have Notice to attend the House in the Morning, to proceed in the Affair of the *Lancaster* Election; and that the Parties have also Notice to attend the Judgment of the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The several Petitions complaining of an undue Election and Return for the County of *Lancaster*, were again read, and the Minutes taken of the Evidences produced by both Parties, were also read and considered, and the farther Consideration therefore referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The House proceeded to the further Hearing the Merits of the *Lancaster* Election.

The Representative of *Lancaster* County, who had been charged with encouraging a Plurality of Votes from the same Person in his Favour, purged himself of that Charge on his Affirmation, and by producing several Witnesses in his Justification, who were heard and examined.

And then the Parties were ordered to withdraw.

Ordered, That the farther Consideration of the Affair of the *Lancaster* Election be adjourned till the Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House resumed the Consideration of the Affair of the *Lancaster* Election.

And the Sitting Members for that County being withdrawn,

The House debated on the Evidence that had been produced to them; and after some Time,

The Question was put, that the Speaker send his Warrant to the Secretary, to issue a Writ to the Sheriff of *Lancaster*, directing a new Election of Representatives for that County? *Past in the Negative.*

Then the House adjourned to Three o'Clock, *P. M.*

The House met, and adjourned to Ten-o'Clock To-morrow Morning.

The Sheriff and Inspectors of *Lancaster* County attending, were called in, and admonished by the Speaker in the Words following, *viz.*

I HAVE the Orders of the House, to acquaint you, that they have taken into Consideration the several Petitions of the Freeholders of the County of *Lancaster*, complaining of an undue Election. They have also taken into Consideration, the Proofs and Allegations, as well in support of the Facts set forth in the said Petitions, as those which have been offered in support of the said Election; and, upon the Whole, they think the Proofs advanced in support of the said Petitions are not sufficient to support the Facts charged, or to vacate that Election; and therefore they have ordered the Members returned to take their Seats in the House: It nevertheless has appeared to the House, from the Examinations which have been taken in this Case, that the Method observed in the Management of the Elections in *Lancaster* County, hath not, in divers Particulars, been so regular and orderly as the Laws of the Province direct; and which, if duly observed, would in great Measure remove all future Occasions of Complaint.

First then, I am to acquaint you ,that the *Act for raising County Rates and Levies* directs that all Persons who have a Right to vote in Elections, shall deliver in Writing to the Judges of those Elections respectively, in one Piece of Paper, the Names of eight Persons for whom they vote to serve in Assembly; in one other Paper, the Names of two Persons for Sheriffs, and two for Coroners; and in another, the Name of one Person for Commissioner, and six to be Assessors for the said County; and that the Act of Assembly, by which *Lancaster* was erected into a County, directs, that the four Assembly Men, Sheriff, Coroner, Commissioner and Assessor, to be chosen by the Freemen of that County, shall be made and elected in the same Manner as by the Charter of Privileges and Laws of this Province is directed to be done in the other Counties of this Province; which Method so prescribed, the House are of Opinion, should be strictly observed, for preventing the Inconveniences which may ensue: And that the Names of the Persons so voted for, be not written in one Piece of Paper, but in several, and put into separate Boxes, as the Law directs.

Secondly, The House are of Opinion, that the Inspectors should be particularly careful in the Choice of their Clerks; and, if possible, to make Choice of such, as either by excessive Drinking, or other Cause, do not disable themselves from the Service they undertake.

Thirdly, That the Sheriffs be careful to call for the Lists of Voters, and Tallies taken by the Clerks, when the Election is ended, and to preserve them safely, so that they may be laid before the House, if Occasion shall require.

Fourthly, That the Inspectors ought not, as heretofore, to act separately, but that two or more of them take the Votes, in the Presence, and with the Concurrence, of the rest; by which Means the Trust will be performed jointly, and agreeable to the Intent of the Law.

Fifthly, That all due Care be taken to prevent any Tumults or Disorders at the Time of Elections by placing Constables at or near the Doors, to preserve the Peace, and to prevent more from offering their Tickets at the same Time, than can be conveniently received by the Inspectors.

Sixthly, That the Sheriffs and others concerned in the Management of Elections, ought to take the utmost Care to prevent Frauds and Abuses, either in suffering any Person, who has no Right by Law to vote, or by denying such as have the Right to vote, or in allowing any to give in a greater Number of Tickets than by Law they are entitled unto.

These several Particulars I have mentioned to you, are recommended to you by Order of the House; and they expect, that as it is a Duty which the Law enjoins, you, and every other in like Stations, will conform themselves accordingly, and by this Means prevent, as much as possible, future Complaints of undue Elections.

Then the Sheriff and Inspectors withdrew.

A Petition from the Sheriff and Inspectors of *Lancaster* County was presented to the House and read, setting forth the great Charge and Trouble the Controverting of the late Election hath occasioned to them, and praying the Assistance of the House in obtaining Satisfaction for the same.

Ordered to lie on the Table.

Then the House adjourned to the next *Second-Day* at Three o'Clock in the Afternoon.

The House met, and adjourned to Ten o'Clock To-morrow Morning.

A Petition from a Number of the Inhabitants of *Bucks* County was presented to the House and read, setting forth, that the greatest Part of the Deer killed in the Month of *December* are poor, and their Skins thin, and of little Value; yet Numbers are killed in that Month when the Snows fall: That the Fines for killing Deer out of Season are too small, and the Time limited for Prosecution of that Offence too short, whereby many Offenders escape with Impunity: And praying the House would take the Premises into Consideration, and provide such Remedy as shall seem meet.

Ordered to lie on the Table.

A Petition of the same Import from a Number of Inhabitants of *Chester* County was also presented to the House and read, and

Ordered to lie on the Table.

A Petition from divers Freeholders and Inhabitants of the County of *Chester*, setting forth, that the Act to encourage the Destroying of grey Squirrels hath in a great Measure answered the good Ends and Purposes thereby intended; and those mischievous Animals are now reduced to a very small Number, and a small yearly Charge will be sufficient to keep them from encreasing again; and since the heaviest Part of the Expence is now over, the Petitioners hope that an Act from which the Country hath already received such considerable Benefit in the Preservation of their Corn, will not be repealed; and pray that it may be continued in Force; was presented to the House and read, and

Ordered to lie on the Table.

A Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Sasquehannah*, and Northward and Westward of the County of *York*, into a County; was read the first time, and ordered a second Reading.

The Petitions from *Lancaster* and *Chester* Counties for an Act to bar Entails were referred to further Consideration.

The Petition from *Bucks* County relating to small Trespasses was read a second time, and referred to farther Consideration.

The Petition relating to the Importation of *Palatines*, &c. was read a second time, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

An Account from *John Biddle* of *Three Pounds* due to him for pasturing *Indian* Horses at the late Treaty, was laid before the House, considered, and allowed.

The Representation of *David Stephens*, relating to the killing of Deer out of Season, was again read;

Ordered, That *Thomas Chandler*, *Hugh Evans*, *Mahlon Kirkbride*, *Calvin Cooper* and *John Armstrong* be a Committee to prepare and bring in a Bill for amending the Laws relating to the killing of Deer.

Ordered, upon Motion, That *James Morris*, *Joseph Trotter*, *Edward Warner*, *George Ashbridge* and *Peter Worral* be a Committee to prepare and bring in a Bill for continuing the Act for the more easy Recovery of Legacies within this Province.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Petition relating to Trespasses was again read, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That *Hugh Evans*, *Thomas Leech*, *John Hall*, *Thomas Cummings*, *Peter Worral* and *John Armstrong* be a Committee to prepare and bring in a Bill for regulateing the Probate of Wills in this Province.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from the Mayor and Commonalty of the City of *Philadelphia*, setting forth, that, pursuant to Leave granted by the then Assembly, the Petitioners did, in *August* 1743, lay before the House a Bill for the better regulating the Nightly Watch within the City of *Philadelphia*, and for raising Money on the Inhabitants of the said City for defraying the Ex-

pences thereof; which Bill was referred to the Consideration of the next Assembly, but nothing has since been done therein; that the Application to the Assembly at that Time arose from a Presentation of the Grand Jury of the City of *Philadelphia*, who have lately again presented the Inconveniences arising from the Want of a regular Watch in the said City; that as the Subject of Complaint in those Presentments is well known to the Petitioners to be real, and what they have frequently endeavoured to remedy without Success; and as they conceive the having a strong and sufficient Watch maintained in the said City, is of the greatest Importance to the Security and Welfare of its Inhabitants; the Petitioners in their Behalf therefore think it their Duty again to apply to this House in the said Affair; and do earnestly request that the Consideration thereof may be resumed, and such effectual Provision made therein, as to the Wisdom of the House shall seem meet; was presented to the House and read, and *Ordered to lie on the Table.*

A Petition of sundry Inhabitants of the County of *Philadelphia*, setting forth, that the Number of publick Houses of Entertainment, hath been excessively augmented within these few Years, far beyond any Necessity or Use that may be pretended in their Favour; that many of those who now keep such Houses, are neither of sober Conversation, nor of Ability to entertain Travellers, nor do they observe good Orders in their Houses, as by Law they ought to do; that, on the contrary, most of those Houses are Nurseries of Vice and Immorality, such as promote Drinking, Gaming, Idleness and many gross Evils, enticing Youth and others to the lavish Spending of their Money, wasting their Time in Tippling and corrupt Company, and by this Means neglecting their proper Business, impoverishing themselves and Families, and endangering the Loss and Ruin of their Souls, Bodies and Estates; and praying, that the House would take the Premises into Consideration, and take such Measures for remedying so great an Evil, as to their Wisdom shall seem meet; was presented to the House and read, and

Ordered to lie on the Table.

A Bill for regulating the Probate of Wills within this Province, was read the first time, and ordered a second Reading.

A Bill for the Continuance of an Act of Assembly of this Province, entituled, *An Act for the more easy Recovery of Legacies within this Province;* was read the first time, and ordered a second Reading.

A Bill for amending the Laws of this Province against killing of Deer out of Season; was read the first time, and ordered a second Reading.

Ordered, That *James Wright* and *John Wright*, Members for *Lancaster* and *York* Counties, have Notice to attend the Service of the House, and that they do attend accordingly.

Peter Worral and *Calvin Cooper* have Leave to be absent some Days on urgent Occasions.

Ordered, That Notice be given to *Isaac Norris* to attend the Service of the House, and that he do attend accordingly.

Then the House adjourned to Three o'Clock, *P. M.*

A Petition from *Joseph King*, of the City of *Philadelphia*, setting forth, that by the Act for preventing the Exportation of Bread and Flour not merchantable, he was appointed the Officer to put the said Act in Execution, and, as it was his Duty, has, to the best of his Judgment, hitherto faithfully discharged that Trust; that as the Term limited by the Act for his Continuance in that Office without a new Appointment, is near expired, he prays to be re-appointed the Officer for the City and County of *Philadelphia;* was presented to the House and read, and *Ordered to lie on the Table.*

The Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Sasquehannah*, and Northward and Westward of the County of *York*, into a County, was read a second time, and debated; and ordered to be transcribed for a third Reading.

A Petition from *Isaac Griffitts*, of *Philadelphia*, Merchant, praying, that if the present Officer for Inspecting and Branding of Flour, be changed, the Petitioner may be appointed in his Room; was presented to the House and read, and

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Petition from the Mayor and Commonalty of the City of *Philadelphia*, relating to the Watch in the said City, was again read.

Ordered, That *Isaac Norris*, *Thomas Leech*, *Israel Pemberton*, *James Morris*, *Edward Warner* and *Joseph Trotter*, be a Committee to prepare and bring in a Bill for the Purposes in the said Petition mentioned.

A Petition from *Samuel Morris*, of the City of *Philadelphia*, praying, that if the Flour Act be renewed, he may be appointed the Officer to execute the same; was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from *Robert Sewell*, praying to be appointed the Officer for executing the Flour Act in the City and County of *Philadelphia*, was presented to the House and read, and

Ordered to lie on the Table.

The House took into Consideration the Petitions relating to entailed Estates, and after some Time spent in Debate thereon,

Ordered, That *Isaac Norris*, *Thomas Leech*, *Mahlon Kirkbride*, *Thomas Cummings*, *Arthur Patterson* and *John Armstrong* be a Committee to prepare and bring in a Bill for barring Estates Tail.

The Petition from *Lancaster* County relating to the erecting a Workhouse, recommended by the last Assembly to the Consideration of this Assembly, was read, and

Ordered to lie on the Table.

Ordered, That *Isaac Norris*, *Thomas Leech*, *John Hall*, *George Ashbridge*, *Arthur Patterson* and *John Armstrong* be a Committee to inspect the Flour Act, and report thereon to the House.

Then the House adjourned to Three o'Clock, *P. M.*

The Petitions relating to the Ferries over *Schuylkill*, referred to this Assembly by the last, were read, and referred to further Consideration.

The Bill for amending the Laws of this Province against killing Deer out of Season, was read a second time, and ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Bill for barring Estates Tail, was read a first time, and ordered a second Reading.

The Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Sasquehannah*, and Northward and Westward of the County of *York*, into a County, being transcribed, was read a third time.

Resolved, That the Bill do pass.

Ordered, That *James Morris* and *Joseph Trotter* carry up the same to the Governor, and desire his Concurrence.

Then the House adjourned to the next *Second-day*, at Three o'Clock in the Afternoon.

The House met pursuant to their Adjournment.

The Gentlemen appointed to wait on the Governor with the Bill for a new County, report, that they delivered the same

according to Order; and that the Governor was pleased to say, he would give it all the Dispatch he could.

A Petition from a Number of the Inhabitants of *Chester* County, praying that the Act against killing Deer out of Season may be amended; and the Fine on Offenders against it, made higher; was presented to the House and read, and *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from a Number of Inhabitants of the City and County of *Philadelphia*, setting forth the many Inconveniences arising from the late great Increase of Publick Houses, was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from the Inhabitants of the *North Valley*, on the West-side of *Susquehannah*, by their Agent *Benjamin Chambers*, setting forth, that the Bounty given for Squirrels Scalps, hath taken off all the Jobbers and hired Men from Labour, to the great Damage and Disappointment of the Farmers, who live at such a Distance from *Philadelphia*, that they seldom hear of the Arrival of Servants till they are disposed of; that the Burden of the Expence for killing Squirrels far exceeds that of the Damage done by them, and therefore praying the said Act may be repealed; was presented to the House and read, *Ordered to lie on the Table.*

The Petition relating to the Importation of *Germans*, &c. was again read.

Ordered, That *Isaac Norris*, *Israel Pemberton*, *Oswald Peele*, *James Morris*, *Thomas Leech* and *Edward Warner* be a Committee to prepare and bring in a Bill for the Purposes in the said Petition mentioned.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill for amending the Laws of this Province against killing Deer out of Season, being transcribed, was read a third time.

Resolved, That the Bill do pass.

Ordered, That *John Hall* and *Thomas Cummings* carry up the same to the Governor, and desire his Concurrence.

The House resumed the Consideration of the several Petitions relating to the Squirrel Act.

And the Question being put, that the said Act be repealed; it *Past in the Negative.*

Resolved, That a Bill be brought in to amend the said Act.

Ordered, That *Thomas Leech*, *Edward Warner*, *John Hall*, *Peter Worral* and *John Armstrong* be a Committee to prepare a Bill for that Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Bill relating to the killing of Deer, report, that they delivered the same according to Order.

A Petition of *Silas Prior* was presented to the House and read, setting forth, that the Term for which *Joseph King* was appointed the Officer to view and examine Flour, *&c.* is near expiring; that the Petitioner is well acquainted with that Commodity, and esteemed a capable Judge of what is merchantable; and therefore praying to be appointed the Officer for the City and County of *Philadelphia.*

Ordered to lie on the table.

A Petition from *Richard Sewell*, Sheriff of the City and County of *Philadelphia*, setting forth, that during the Term the Petitioner hath executed the Office of Sheriff, he hath been at very great Expences in attending the Prosecution and Punishment of capital Offenders, tried in the Courts of *Oyer* and *Terminer;* and particularly the Punishment of such Offenders hath been attended with considerable Charges to the Petitioner, though he has been as frugal as possible, expecting the Publick would reimburse him; that the Fee of *Twenty Shillings* allowed to the Sheriff by Law in every capital Cause, is seldom or never paid, the Parties being unable; that the Petitioner has exhibited his Account of Charges and Disbursements in the Cases aforesaid, to the Commissioners of the County, who have refused Payment thereof, the Law not being express by whom they are to be paid; that the Petitioner is under the same Misfortune in the inferior Courts; the Offenders being generally poor, their Fines are remitted, and they ordered out of the Province, the Petitioner having been at the sole Charge of the corporal Punishment inflicted on them. That the Petitioner humbly conceives it was not, nor is, the Intent of the Legislature, that all these heavy Charges should lie on the Sheriff only, but that, in Case of Disability, he ought to be paid by the County; and therefore prays the House would consider his Case, and grant such Relief, either by Amendment of the Law, or otherwise, as to them shall seem just and reasonable; was presented to the House and read, together with an Account annexed, and *Ordered to lie on the Table.*

The Bill for the Continuance of an Act of Assembly of this Province, *for the more easy Recovery of Legacies within this Province*, was read a second time, and ordered to be transcribed for a third Reading.

The Bill for barring Estates Tail, was read a second time, and ordered to be transcribed for third Reading.

The Petitions complaining of the great Increase and disorderly Keeping of Publick Houses was again read, and considered.

Ordered, That the Secretary lay before the House Lists of the Names of Persons licenses to keep Publick Houses, and Places of their Abode, for the several Years, from 1738 to the present Year.

Ordered, That *Owen Evans*, *Thomas Leech*, *Israel Pemberton*, *John Hall*, *Thomas Cummings*, *Arthur Patterson* and *John Armstrong* be a Committee to inspect the Laws relating to Publick Houses, and the Sale of Spirituous Liquors, and report their Opinion what Amendments may be proper to be made therein.

Then the House adjourned to Three o'Clock, *P. M.*

The House met, and adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, sent down the Bill for erecting a new County, and the Bill relating to the killing of Deer, without any Amendment; and a verbal Message that he was ready to pass the same into Laws, when they shall be presented to him for that Purpose.

The Committee appointed to inspect the Flour Act, report, that the Supplement not expiring till the End of the next Sitting of Assembly, they are of Opinion, that the farther Consideration of that Act be deferred till that Sitting. To which the House agreed.

The Bill for barring Estates Tail, being transcribed, was read a third time.

Resolved, That the Bill do pass.

The Bill for the Continuance of an Act of Assembly of this Province, entituled, *An Act for the more easy Recovery of Legacies within this Province*, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Israel Pemberton* and *Hugh Evans* wait upon the Governor with the said Bills, and desire his Concurrence.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait upon the Governor with with the Bills, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would give them all the Dispatch he could.

A Bill for amending of the Act, entituled, *An Act to encourage the killing of Squirrels within this Province*, was read the first time, and ordered a second Reading.

The House resumed the Consideration of the Petitioners from *Philadelphia* and *Chester* Counties, relating to Ferries; but being informed that there were likely to be several other Petitions on that Affair, the farther Consideration thereof is postponed to the next Sitting.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Petition from *Lancaster* County, relating to Workhouses, was again read, and referred to further Consideration.

The Bill for amending of the Act, entituled, *An Act to encourage the killing of Squirrels within this Province*, was read the second time, and debated, Paragraph by Paragraph, and ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The Petition of the Sheriff and Inspectors of *Lancaster* County, was again read, and *Ordered to lie on the Table.*

The Petition of *Richard Sewell*, Sheriff of *Philadelphia* County, was again read, and *Ordered to lie on the Table.*

The Letter from the Governor of the *Massachusetts-Bay*, relating to the Expence of Prisoners brought in the Flag of Truce, was again read.

Ordered, That *Isaac Norris*, *James Morris* and *Thomas Leech* inspect the Minutes, and report if they find any Mention of that Affair in the Time of the late Governor.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from a Number of the Inhabitants of the County of *Bucks*, complaining of the great Increase and disorderly Keeping of Publick Houses, and also of the disorderly Practices at Vendues, and praying Relief therein, was presented to the House and read, and *Ordered to lie on the Table.*

The Bill for amending of the Act, entituled, *An Act to encourage the killing of Squirrels within this Province*, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Edward Warner* and *Joseph Trotter* carry up the same to the Governor, and desire his Concurrence.

John Armstrong and *Thomas Chandler* have Leave to be absent the Remainder of this Sitting, on urgent Affairs.

Then the House adjourned to the next *Second-day*, at Three o'Clock in the Afternoon.

The House met pursuant to their Adjournment.

The Gentlemen appointed to wait on the Governor with the Bills that had passed the House, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would give them all the Dispatch he could.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, sent down the Bill for barring Estates Tail, with some proposed Amendments; also the Bill for continuing the *Act for the more easy Recovery of Legacies*, with some proposed Amendments; and the Bill for Amending the Squirrel Act; with a verbal Message, that he is willing to pass the two former, if the House agree to the Amendments, and the latter as it stands, when they shall be presented to him for that Purpose.

The Secretary also, in Obedience to the Order of the House, presented such Lists as he has been able to procure of the Publick Houses for two of the Counties, and then withdrew.

The proposed Amendments to the Bill for barring Estates Tail, being read, were agreed to by the House; and the Bill ordered to be engrossed with the Amendments.

The proposed Amendments to the Bill for the more easy Recovery of Legacies, were read, and agreed to by the House; and the Bill with the Amendments ordered to be engrossd.

The Bill for regulating the Probate of Wills within this Province, was again read, with some additional Paragraphs, and referred to further Consideration.

The Lists laid before the House by the Secretary, were referred to the Committee appointed to inspect the Laws relating to Publick Houses, who are to examine the same, and report thereon to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee on the Affair of Publick Houses, report, that it appears by the Lists referred to them, that within ten Years past, the Publick Houses in *Bucks* County have increased from Eleven to Forty-eight; and in *Chester* County,

from Thirty-eight to Fifty-six; and that the other Lists are not yet compleated.

And after a long Debate on the Subject of Publick Houses, it was

Resolved, That the said Committee prepare a Draught of an Address to be presented to the Governor, requesting that he would recommend it to the Magistrates to take Care that the Laws relating to Publick Houses be put in Execution. And that the same Committee do also prepare a Bill against the next Sitting, for Amendment of those Laws.

Then the House adjourned to Three o'Clock, *P. M.*

A Bill for Prohibiting the Importation of *Germans* or other Passengers in too great Numbers in any one Vessel, was read the first time, and ordered a second Reading.

The Bill for Amendment of the Law of this Province relating to the Probate of Wills, was read a second time, and ordered to be transcribed for a third Reading.

A Bill for Regulating the Nightly Watch in the City of *Philadelphia*, and for raising Money on the Inhabitants of the said City for defraying the necessary Expences thereof; was read the first Time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House met, and adjourned to Three o'Clock in the Afternoon.

The Bill for amending the Law relating to the Probate of Wills, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Edward Warner* and *James Morris* carry up the same to the Governor, and desire his Concurrence. And that they farther acquaint the Governor, that the House have agreed to the Amendments proposed by him to the Bills returned to the House: And that in Pursuance of the Expectations given him at the last Sitting, they have resumed the Consideration of the Demand from the Government of the *Massachusetts Bay*, relating to the Expence of bringing Home the *English* Prisoners; and though they find no Mention in their Minutes of any Engagement entered into by the late Governor to that Purpose; yet they are willing to pay the Proportion demanded, according to the Value of *Livres*.

The Bill for prohibiting the Importation of *Germans* or other Passengers in too great Numbers in any one Vessel, was read a second time, and debated, and the farther Consideration thereof referred to the Morning.

The Bill for regulating the Nightly Watch within the City of *Philadelphia*, and for raising Money on the Inhabitants of the said City for defraying the necessary Expences thereof, was read a second time, and debated, and the farther Consideration thereof adjourned till To-morrow.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Bills, and the Message of Yesterday, report, that they had delivered the same according to Order.

The Committee appointed to prepare a Draught of an Address to the Governor on the Subject of Publick Houses, reported the same to the House, which was read, and considered, and ordered to be transcribed, that it may be presented to the Governor.

The House resumed the Consideration of the Bill for prohibiting the Importation of *Germans* or other Passengers in too great Numbers in any one Vessel; and after some Debate thereupon, it was ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill for prohibiting the Importation of *Germans* or or other Passengers in too great Numbers in any one Vessel being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Edward Warner* and *James Morris* carry up the same to the Governor, and desire his Concurrence; and withal acquaint him, that the House is inclined to adjourn on the Morrow, to the Sixth Day of the next Sixth Month, if he hath no Objection thereto.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed Yesterday to wait on the Governor with the Bill and Message of the House, report, that they delivered the same according to Order, and that the Governor was pleased to say, he had no Objection to the proposed Adjournment.

The House being informed by the Committee of Accounts, that several of the Excise Officers are considerably in Arrear.

Ordered, That the Treasurer be directed to call on the several Collectors for their respective Arrearages, that he may have Money in his Hands to answer the Publick Demands.

The Governor, by his Secretary, sent down the Bill for prohibiting the Importation of *Germans* or other Passengers in too great Numbers in any one Vessel, with some proposed Amendments; and a verbal Message, that though he thinks some other Amendments might have been made; yet the Bill being immediately necessary, he chuses rather to pass it as it is, than to postpone it, But the Bill relating to the Probate of Wills, he will consider of until the next Sitting.

And the Amendments being read, and agreed to by the House, and the Bill ordered to be engrossed with those Amendments;

Ordered, That *Thomas Leech* and *James Morris* wait upon the Governor, and acquaint him, that the House have agreed to Amendments proposed to the Bill relating to the Importation of *Germans*, &c. and desire that he would appoint some Members of his Council to join a Committee of this House, in comparing the Bills that have had his Concurrence, with the engrossed Copies; and desire farther to know when he will be pleased to receive the House, in order to their presenting those Bills for his Assent, together with an Address which they have prepared.

Ordered, That *Thomas Leech* and *James Morris* be a Committee to join a Committee of Council in comparing the Bills.

Ordered, That the Bill for the regulating the Nightly Watch within the City of *Philadelphia* be re-committed to the Committee who brought it in, for Amendment; and when so amended, that the same be printed for the Perusal of the Inhabitants of the City.

The Petition and Account of *Richard Sewell*, Sheriff of *Philadelphia* County, is referred to the Committee of Publick Accounts, who are to examine the same, and report thereon to the House.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait on the Governor with the Message of the Morning, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would receive the House at Four o'Clock this Afternoon in the Council Chamber; and that he would appoint two Members of his Council to meet a Committee of the House at Three, in order to compare the Bills.

Resolved, That the Sum of *Six Hundred Pounds* be now given to the Honourable JAMES HAMILTON, Esq; Governor of this Province, in Part of his Support for the current Year.

And an Order was drawn, and signed by the Speaker accordingly.

The Address being transcribed, was signed by the Speaker, by Order of the House, and follows in these Words, *viz.*

May it please the GOVERNOR,

WE have, during this Session, received divers Petitions from a considerable Number of sober and discreet Persons, Inhabitants of this City, and several other Parts of the Province; who, though of different Persuasions in Religious Matters, have nevertheless united in those Petitions, complaining, that notwithstanding many prudent Provisions have beeen heretofore made by the Laws of this Province, concerning Persons licensed to keep Inns and Publick Houses for the Sale of strong Liquors, and the Entertainment of Travellers, and the good Order to be kept in those Houses; yet, contrary to the Tenor of those Laws, they have, of late Years, very much increased: That many of them are neither of sober Conversation, nor of Ability to entertain Travellers; nor do they keep good Orders in their Houses, as by Law they ought to do: That on the contrary most of them are Nurseries of Vice and Immorality, such as promote Drinking, Gaming, Idleness and many gross Evils; enticing Youth and others to the lavish spending of their Money, wasting their Time in Tippling and corrupt Company; and by this Means neglecting their proper Business, impoverishing themselves and their Families, and endangering the Loss and Ruin of their Souls, Bodies and Estates: To prevent which for the future, the Petitioners pray our Interposition; and as our own Observations, as well as the Testimony of others, convinces us of these melancholy Truths, we think it a Duty we own to the Province, to Posterity, and to ourselves, to contribute the utmost in our Power to discourage and prevent these growing Evils.

With this View we have inspected the several Laws now in Force in relation to Publick Houses, and we there find many prudent Provisions adapted to the Circumstances of the Province, and for preventing the Abuses complained of; and though we think some Additions may be made to these (which in due Time will come under our Consideration) yet are we of the Opinion, that were the Laws in being but duly put in Execution, it would in great Measure remove the Cause of these Complaints.

It is not to be expected the Governor, who is so much taken up with the Affairs of the Province, should himself be so well acquainted with Persons and Places fitting and necessary for

keeping of Inns or Publick Houses for the Purposes aforesaid; and therefore our Laws have wisely provided to free him from the Trouble of such an Enquiry, which otherwise might be necessary, by obliging the Persons who intend to keep these Houses, first to apply to the Justices of the Peace of the City or County in which such Persons applying reside, and at the General Quarter Sessions of the Peace to obtain from the Justices their Recommendation to the Governor of the Fitness and Ability of such Appliers for the Service, before they are intitled to a Licence. Were this important Trust duly executed, it would render any further Provision less necessary; but it hath so happened in divers Places, that either for Want of due Enquiry into the Places where the Persons applying resided, their Circumstances and Abilities, and the Necessity of Publick Houses in the Places desired, or through a mistaken Pity for the Persons applying, or some other Motive, a much greater Number hath been recommended to the Governor to obtain such Licences, than were either fit for the Employment, or of Use to the Publick.

Hence arise the Evils complained of, and here, as we conceive, a proper Remedy may be had; and therefore it is we earnestly request the Governor, that he will be pleased warmly to recommend it to the Consideration of the Justices of the several Counties within this Province, that they will employ their utmost Care and Viligence to put the Laws, relating to the good Order necessary to be observed in Publick Houses, and for preventing of Tippling by the Inhabitants therein, in Execution: That for the future, where Applications are made for such Recommendations, they will make diligent Enquiry into the Circumstances of those who apply for them, and grant so many only as shall be necessary, and those to such Persons only as are the most fit for the Service.

The Increase of Vice and Immorality are bad Symptoms in any Government; and the Consequences it might have in this, we think, too evident to a Gentlemen of the Governor's Abilities, to need any Illustration; we therefore persuade ourselves of his hearty Assistance in the Reformation desired, as the best and most effectual Means to render the Inhabitants of this Province more generally better Subjects, better Members of Society, and above all, better Christians.

The Committee appointed to join a Committee of the Council in comparing the Bills, report, that they have done the same, and find them right.

Then the engrossed Bills were signed by the Speaker.

Ordered, That the Trustees of the *Province Island*, do, as soon as conveniently they can, built Pest-houses, on that Island to the Value of *One Thousand Pounds*, for the convenient Reception of sick Strangers imported into this Province.

Ordered, That the Superintendants of the State-house, proceed, as soon as conveniently they may, to carry up a Building on the South-side of the said House to contain the Staircase, with a suitable Place thereon for hanging a Bell.

Ordered, That *Thomas Leech* and *James Morris* see the Great Seal affixed to the Laws after they are passed, and the same deposited in the Rolls Office.

Ordered, That the Admonition given from the Chair to the Sheriff and Inspectors of *Lancaster* County be printed in the *Gazette*.

A Message from the Governor by the Secretary, that he is now in the Council Chamber ready to receive the House.

Then the Speaker, with the whole House, waited on the Governor.

And being returned,

The Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented the following Bills, *viz.*

An ACT for erecting Part of the Province of *Pennsylvania*, Westward of *Sasquehannah*, and Northward and Westward of the County of *York*, into a County.

An ACT for prohibiting the Importation of *Germans* or other Passengers in too great Numbers in any one Vessel.

An ACT for amending of the Act, entituled, "An Act to encourage the killing of Squirrels within this Province."

An ACT for amending the Laws of this Province against killing of Deer out of Season.

An ACT for barring Estates Tail

An ACT for the Continuance of an Act of Assembly of this Province, entituled, "An Act for the more easy Recovery of Legacies within this Province."

To which he had been pleased to give his Assent by enacting the same into Laws:

That the Speaker had also presented him the Address of the House, to which the Governor had been pleased to answer, "That it very well became the Assembly, as Representatives of the People, to endeavour the Reformation of the Abuses complained of; that it was his own Opinion, too great a Number

of Publick Houses might have the Tendency mentioned; and that therefore he would in the warmest Manner recommend to all the Magistrates a prudent Use of their Power in this Particular, as well as in every other." That the Speaker had also presented the Governor with the Order of the House for his Support, which he was pleased to receive kindly.

Then the House adjourned to the Sixth Day of the next Sixth Month.

A Quorum of the Representatives met pursuant to the Adjournment of the House.

And it being moved, that the Speaker of this House, is, since the last Meeting, deceased, ISAAC NORRIS, Esq.; was unanimously chosen Speaker in his Stead, and accordingly placed in the Chair.

Ordered, That *Edward Warner*, *Thomas Leech*, *John Woolston*, *Joseph Gibbons*, *James Wright* and *John Wright* wait upon the Governor, and acquaint him, that a Quorum of the Representatives are met pursuant to the last Adjournment of the House, and have proceeded to the Choice of a Speaker in the Room of *John Kinsey*, Esq; deceased; and desire to know when he will be pleased to receive the House, that they may present their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and the Governor was pleased to say, he would receive the House this Morning at Eleven o'Clock, in the Council Chamber.

A Message from the Governor, by the Secretary, that he requires the Attendance of the House in the Council Chamber immediately.

Then the Speaker with the whole House waited on the Governor.

And being returned, the Speaker reported, that the House had waited on the Governor and presented their Speaker: that the Governor had been pleased to express his Approbation of their Choice; on which the Speaker had said, that as the usual Privileges of the House had been claimed by the late Speaker at the Beginning of the Year, he had nothing to mention now but what was personal, *to wit*, that his own unwilling Mistakes might be excused, and not imputed to the House; to which

the Governor was pleased to answer, it was a Right that ought to be observed.

A Petition from *Jeremiah Osbourne*, a languishing Prisoner in the Goal of *Philadelphia*, was presented to the House and read, setting forth, that he was in the Year 1746 employed as Captain of a Flag of Truce by the Governor of *South Carolina*, to transport a Number of *Spanish* Prisoners from thence to the *Havanna;* that *Joseph Wragg* and *William Lambton*, Merchants in *Carolina*, shipped a Quantity of Provisions on board the said Flag of Truce, to be delivered in the *Havanna;* that the Petitioner in his Passage to the *Havanna*, was taken by three *Spanish* Privateers, who plundered him of great Part of his Cargo, and sent him into the *Havanna*, where the Petitioner at his own Risk redeemed the Remainder of the Cargo from the Enemy, and disposed of it to defray his Charges, *&c.* That on his Arrival in this City he was arrested by Virtue of a Power from said *Wragg* and *Lambton* for *Fifteen Hundred Pounds;* that being a Stranger, and not capable of finding Bail, he was committed to the County Goal, where he remained two Years before he could obtain a Trail, in which the said *Wragg* and *Lambton* recovered *Three Hundred Ninety-six Pounds* and *Six-pence*, the Petitioner labouring under great Disadvantages, as the Transaction arose in the King of *Spain's* Dominions, from whence it was impossible to procure the Evidences that could have supported the Petitioner's Actions, the Rigour of the Law not permitting the written Evidences which he had procured from thence, to be read, otherwise he should have been able to have justified himself: That the Petitioner likewise stands committed for a Debt of *Two Hundred Seventy-five Pounds Twelve Shillings* and *Six-pence*, due to *John West* and *Alexander Hill*, of *Boston* in *New England*, and hath no real or personal Estate to satisfy the said Demands, or any Part thereof, being reduced to extreme Poverty by Reason of many Losses sustained in Trade, as well as the Expence attending his long and tedious Confinement, now three Years and an Half; and must ever remain in Goal, unless this House compassionate his Condition; and therefore humbly praying that the House would take the Premises into Consideration, and grant an Act to relieve him from his Confinement, or such other Relief as to their Wisdom shall seem meet. *Ordered to lie on the Table.*

A Petition from *George Spofford*, of the City of *Philadelphia*, setting forth, that he was appointed by the Mayor, Recorder and Aldermen of the said City, to execute the Office of Collector of the Duties imposed by an Act of Assembly, entituled,

An Act for imposing a Duty on Persons convicted of heinous Crimes, &c. in the Place of *Joseph Pritchard*, the late Collector, until the Assembly should appoint another; that the Petitioner hath accordingly executed the said Office with all Diligence and Fidelity; and now prays that the House would nominate and appoint him to continue in the said Office; was presented to the House and read, and *Ordered to lie on the Table.*

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That the Clerk prepare an Account of the Business left unfinished at the last Sitting, and referred to this Sitting, and lay the same before the House To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from divers Millers in the Counties of *Philadelphia* and *Bucks*, setting forth, that they are sensible of the Benefits and Advantages accruing to this Province from the Flour Act; that the Continuance of these Advantages in a great Measure depends on the Capacity and Integrity of the Officer appointed to put the Law in Execution; that the present Officer *Joseph King*, having given general Satisfaction to all concerned, the Petitioners pray he may be appointed the Officer with the Renewal of the aforesaid Act. *Ordered to lie on the Table.*

A Petition from divers Millers and other Inhabitants of *Chester* County, setting forth, that the Act, with its Supplement, for preventing the Exportation of Bread and Flour not merchantable, hath been of general Service to this Province, by keeping up the Reputation of our Flour in foreign Markets, and answering other good and laudable Purposes; that the Act aforesaid is near expired, and the appointing an Officer with the Continuance of the Law becomes necessary; and as the present Officer, *Joseph King*, by his Care, Judgment and Fidelity, in the Execution of the said Act, has given general Satisfaction, the Petitioners request he may be re-appointed; was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from sundry Inhabitants of the back Parts of *Philadelphia* County, complaining of the great Increase and bad Effects of Publick Houses, and praying Relief therein; was presented to the House and read, and *Ordered to lie on the Table.*

The Clerk, according to Order, laid before the House Minutes of the Business left unfinished at the last Sitting.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor, and acquaint him, that the House is desirous of having his Result on the Bill for regulating the Probate of Wills within this Province.

The Petition of *George Spofford* was again read, and considered;

Resolved, N. C. D. That *George Spofford* be appointed the Officer for putting in Execution the Act for imposing a Duty on Persons convicted of heinous Crimes, *&c.* in the Room of *Joseph Pritchard*, supposed to be lost at Sea.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would send a Message to the House concerning that Bill To-morrow Morning.

The Governor, by his Secretary, sent down a written Message to the House, with several Papers therein referred to, which were read, and follow in these Words, *viz.*

GENTLEMEN,

'FINDING that the Proclamation which I issued last Summer on the Complaints of the Deputies of the *Six Nations*, against such as had presumed to settle on their unpurchased Lands, had no Effect, I thought it dangerous to suffer any longer such an open Contempt of the Authority of Government; and therefore gave Orders, that the Laws should be strictly put in Execution against them; and from a Report of the Proceedings of the Magistrates appointed for that Service, which will be laid before you, I thought there would have been no more Cause of Complaint on this Head; but by a Letter I received the last Week from the Magistrates of *Cumberland* County, it looks as if auch as were then spared, have been since spirited up to stay, and that there will be an absolute Necessity of taking still farther Measures against them.

'The Accounts from *Ohio* mention, that the *French* still continue their Threats against the *Indians*, who carry on Commerce with our Traders; that they are frequently alarmed, as if the *French* were approaching in a military Manner, and therefore keep themselves upon their Guard; but as nothing hostile has hitherto been attempted, I am in Hopes this may blow over, and the *French*, from the Caution and Unanimity of the *Indians* in our Alliance, be obliged to alter their Measures.

'I have received two or three different Messages from the *Twightwees;* in their last they tell me, that they have withstood the Solicitations of the *French*, and, as a Proof of their Attachment to us, have refused their Presents: intimating at the same Time, that as they take nothing from them, they would be pleased to receive some Testimony of our Regard. And I am really of Opinion, that since so large an Addition is made to the Trade of the Province by their Means, would be for his Majesty's as well as the Country's Service, if a small Present was sent to them by some Persons of Character, who go to trade in those Parts.

'When Mr. *Weiser* left *Ohio*, he committed several Matters of Consequence to *Andrew Montour*, finding that the *Indians* esteemed him, and placed great Confidence in him: This gave him a sort of publick Character, which has put him to some Trouble and Expence, as you will see by his Account, which I have ordered to be laid before you, and which have been perused and allowed to be true by *Mr. Weiser;* I therefore recommend it to you, that you will be pleased to make Mr. *Montour* a suitable Recompence for his Services. The *Indians* of those Parts are not of the most prudent Behaviour, and therefore it seems necessary there should be always among them some discreet Person, who by his Influence may be able to regulate their Conduct, and keep them firmly attached to the *British Interest;* more especially at a Time when the *French* leave no Means unattempted to alienate their Affection from us, and to exclude us from any Share of the Benefit of trading with them: Such a Person I take Mr. *Montour* to be; and, as he resides at *Ohio*, he will, I am persuaded, upon a proper Recompence, be always ready and willing to serve this Province to the utmost of his Power.

Aug. 8, 1750. JAMES HAMILTON."

To the Honourable JAMES HAMILTON, *Esq; Lieutenant Governor, and Commander in Chief of the Province of* Pennsylvania, *and Counties of* Newcastle, Kent, *and* Sussex, *on* Delaware;

The Report of RICHARD PETERS, *Esq; Secretary of the Province of* Pennsylvania, *of the Proceedings against sundry Persons settled in the unpurchased Part of the Province aforesaid.*

May it please your Honour,

MR. *Weiser* and I having received your Honour's Orders to give Information to the proper Magistrates against all such

as had presumed to settle and remain on the Lands beyond the *Kittochtinny* Mountains, not purchased of the *Indians*, in Contempt of the Laws repeatedly signified by Proclamations, and particularly by your Honour's late one; and to bring them to a legal Conviction, left for Want of their Removal a Breach should ensue between the *Six Nations* of *Indians* and this Province:

We set out on *Tuesday*, the 15th day of *May* last, for the new County of *Cumberland*, where the Places, on which the Trespassers had settled, lay.

At Mr. *Croghan's* we met with five *Indians*, three from *Shamokin*, two of which were Sons of the late *Shickcalamy*, who transact the Business of the *Six Nations* with this Government; two were just arrived from *Allegheny*, *viz.* one of the *Mohock's* Nation, called *Aaron*, and *Andrew Montour*, the Interpreter at *Ohio*. Mr. *Montour* telling us he had a Message from the *Ohio Indians* and *Twightwees* to this Government, and desiring a Conference, one was held on the 18th of *May* last, in the Presence of *James Galbreth*, *George Croghan*, *William Wilson* and *Hermanus Alrichs*, Esquires, Justices of the County of *Cumberland;* and when Mr. *Montour's* Business was done, we with the Advice of the other Justices, imparted to the *Indians* the Design we were assembled upon, at which they expressed great Satisfaction.

Another Conference was held, at the Instance of the *Indians*, in the Afternoon, in the Presence of Mr. *Galbreth* and Mr. *Croghan*, before-mentioned, wherein they expressed themselves as follows:

"Brethren, We have thought a great deal of what you imparted to us, that ye were come to turn the People off who are settled over the Hills; we are pleased to see you on this Occasion; and as the Council of *Onondago* has this Affair at Heart, and it was particularly recommended to us by the Deputies of the *Six Nations*, when they parted from us last Summer, we desire to accompany you, but we are afraid, notwithstanding the Care of the Governor, that this may prove like many former Attempts; the People will be put off now, and next Year come again; and if so, the *Six Nations* will no longer bear it, but do themselves Justice: To prevent this therefore, when you shall have turned the People Off, we recommend it to the Governor, to place two or three faithful Persons over the Mountains, who may be agreeable to him and us, with Commissions, impowering them immediately to remove every one who shall

presume after this to settle there, until the *Six Nations* shall agree to make Sale of their Land." To enforce this, they gave a String of *Wampum*, and received one in Return from the Magistrates, with the strongest Assurances that they would do their Duty.

On *Tuesday*, the 22d of *May*, *Matthew Dill*, *George Croghan*, *Benjamin Chambers*, *Thomas Wilson*, *John Finley* and *James Galbbreth*, Esquires, Justices of the said County of *Cumberland*, attended by the Under-Sheriff, came to *Big Juniata*, situate at the Distance of Twenty-five Miles from the Mouth thereof, and about ten Miles North from the *Blue Hills*, a Place much esteemed by the *Indians* for some of their best hunting Ground; and there they found five Cabbins or Log-houses, one possessed by *William White*, another by *George Cahoon*, another not quite finished in Possession of *David Hiddleston*, another possessed by *George* and *William Galloway*, and another by *Andrew Lycon;* of these Persons, *William White*, *George* and *William Galloway*, *David Hiddleston* and *George Cahoon* appeared before the Magistrates, and being asked by what Right or Authority they had possessed themselves of those Lands, and erected Cabbins thereon? They replied, by no Right nor Authority, but that the Land belonged to the Proprietaries of *Pennsylvania*. They then were asked, whether they did not know they were acting against the Law, and in Contempt of frequent Notices given them by the Governor's Proclamations? They said they had seen one such Proclamation, and had nothing to say for themselves, but craved Mercy. Hereupon the said *William White*, *George* and *William Galloway*, *David Hiddleston* and *George Cahoon*, being convicted by the said Justices on their View, the Under-Sheriff was charged with them, and he took *William White*, *David Hiddleston* and *George Cahoon* into Custody; but *George* and *William Galloway* resisted, and having got at some Distance from the Under-Sheriff, they called to us: "You may take our Lands and Houses, and do what you please with them; we deliver them to you will all our Hearts, but we will not be carried to Goal."

The next morning, being *Wednesday*, the 23d of *May*, the said Justices went to the Log-house or Cabbin of *Andrew Lycon*, and finding none there but Children, and hearing that the Father and Mother were expected soon, and *William White* and others offering to become Security jointly and severally, and to enter into Recognizance as well for *Andrew's* Appeearance at Court, and immediate Removal, as for their own; this

Proposal was accepted, and *William White, David Hiddleston* and *George Cahoon* entered into a Recognizance of *One Hundred Pounds*, and executed Bonds to the Proprietaries in the sum of *Five Hundred Pounds*, reciting, that they were Trespassers, and had no Manner of Right, and had delivered Possession to me for the Proprietaries. Then the Magistrates went to the Log-house or Cabbin of *George* and *William Galloway* (which they had delivered up as aforesaid the Day before, after they were convicted, and were flying from the Sheriff) all the Goods belonging to the said *George* and *William* were taken out, and the Cabbin being quite empty, I took Possession thereof for the Proprietaries; and then a Conference was held, what should be done with the empty Cabbin; and after great Deliberation, all agreed, that if some Cabbins were not destroyed, they would tempt the Trespassers to return again, or encourage others to come there, should these Trespassers go away; and so what was doing would signify nothing. since the Possession of them at such a Distance from the Inhabitants could not be kept for the Proprietaries; and Mr. *Weiser* also giving it as his firm Opinion, that if all the Cabbins were left standing, the *Indians* would conceive such a contemptible Opinion of the Government, that they would come themselves in the Winter, murder the People, and set their Houses on Fire: On these Considerations the Cabbin, by my Order, was burnt by the Under-Sheriff and Company.

Then the Company went to the House possessed by *David Hiddleston*, who had entered into Bond as aforesaid, and he having voluntarily taken out all the Things which were in the Cabbin, and left me in Possession, that empty and unfinished Cabbin was likewise set on Fire by the Under-Sheriff by my Order.

The next day, being the 24th of *May*, Mr. *Weiser* and Mr. *Galbreth*, with the Under-Sheriff and myself, on our Way to the Mouth of *Juniata*, called at *Andrew Lycon's*, with Intent only to inform him, that his Neighbours were bound for his Appearance and immediate Removal, and to caution him not to bring himself or them into Trouble by a Refusal: But he presented a loaded Gun to the Magistrates and Sheriff, said, he would shoot the first Man that dared to come nigher. On this he was disarmed, convicted, and committed to the Custody of the Sheriff. This whole Transaction happened in the Sight of a Tribe of *Indians*, who by Accident had in the Night-time fixed their Tent on that Plantation; and *Lycon's* Behaviour giving them great Offence, the *Shickcalamies* insisted on our burning

the Cabbin, or they would burn it themselves; Whereupon, when every Thing was taken out of it (*Andrew Lycon* all the while assisting) and Possession being delivered to me, the empty Cabbin was set on Fire by the Under-Sheriff, and then *Lycon* was carried to Goal.

Mr. *Benjamin Chambers* and Mr. *George Croghan* had about an Hour before separated from us; and on my meeting them again in *Cumberland* County, they reported to me that they had been at *Sheerman's* Creek, or *Little Juniata*, situate about six Miles over the *Blue Mountains*, and found there *James Parker, Thomas Parker, Owen M'Keeb, John M'Clare, Richard Kirkpatrick, James Murray, John Scott, Henry Gass, John Cowan, Simon Girtee* and *John Kilaugh*, who had settled lands, and erected Cabbins or Log houses thereon; and having convicted them of the Trespass on their own View, they had bound them in Recognizances of the Penalty of *One Hundred Pounds*, to appear and answer for their Trespasses on the first Day of the next County Court of *Cumberland*, to be held at *Shippensburgh*, and that the said Trespassers had likewise entered into Bonds to the Proprietaries in *Five Hundred Pounds* Penalty to remove off immediately, with all their Servants, Cattle and Effects, and had delivered Possession of their Houses to Mr. *George Stevenson* for the Proprietaries Use; and that Mr. *Stevenson* had ordered some of the meanest of those Cabbins to be set on Fire, where the Families were not large, nor the Improvements considerable.

On *Monday*, the 28th of *May*, we were met at *Shippensburgh* by *Samuel Smith, William Maxwell, George Croghan, Benjamin Chambers, Robert Chambers, William Allison, William Trent, John Finley, John Miller, Hermanus Alrichs*, and *James Galbreth*, Esquires, Justices of *Cumberland* County, who informing us that the People in the *Tuscoraro Path*, in the *Big Cove*, and at *Aucquick*, would submit, Mr. *Weiser* most earnestly pressed, that he might be excused any further Attendance, having Abundance of necessary Business to do at Home; and the other Magistrates, though with much Relunctance, at last consenting, he left us.

On *Wednesday*, the 30th of *May*, the Magistrates and Company, being detained two Days by Rain, proceeded over the *Kittochtinny* Mountains, and entered into the *Tuscoraro Path*, or *Path-Valley*, through which the Road to *Allegheny* lies. Many Settlements were found in this Valley, and all the People were sent for, and the following Persons appeared, *viz. Abraham Slach, James Blair, Moses Moore, Arthur Dunlap, Alex-*

ander M'Cartie, David Lewis, Adam M'Cartie, Felix Doyle, Andrew Dunlap, Robert Wilson, Jacob Pyatt, Jacob Pyatt, junior, William Ramage, Reynolds Alexander, Samuel Patterson, Robert Baker, John Armstrong and *John Potts*, who were all convicted by their own Confession to the Magistrates, of the like Trespasses with those at *Sheerman's* Creek, and were bound in the like Recognizances to appear at Court, and Bonds to the Proprietaries to remove with all their Families, Servants, Cattle and Effects, and having all voluntarily given Possession of their Houses to me, some ordinary Log-houses, to the Number of eleven, were burnt to the Ground; the Trespassers, most of them chearfully, and a very few of them with Reluctance, carrying out all their Goods. Some had been deserted before, and lay waste.

At *Aucquick, Peter Falconer, Nicholas De Long, Samuel Perry*, and *John Charleton* were convicted on the View of the Magistrates, and having entered into the like Recognizances, and executed the like Bonds, *Charleton's* Cabbin was burnt, and Fire set to another that was but just begun, consisting only of a few Logs piled, and fastened to one another.

The like Proceedings at *Big Cove* against *Andrew Donaldson, John Macclelland, Charles Stewart, James Downey, John Macmean, Robert Kendell, Samuel Brown, William Shepperd, Roger Murphy, Robert Smith, William Dickey, William Millican, William Macconnell, Alexander Macconnell, James Campbell, William Carrell, John Martin, John Jamison, Hans Patter, John Maccollin, Adam Macconnell, James Wilson* and *John Wilson;* who coming before the Magistrates, were convicted on their own Confession, of the like Trespasses as in the former Cases, and were all bound over in the like Recognizances, and executed the like Bond to the Proprietaries. Three waste Cabbins, of no Value, were burnt at the North End of the Cove by the Persons that claimed a Right to them.

The *Little Cove*, and *Big* and *Little Conolloways*, being the only Places remaining to be visited, as this was on the Borders of *Maryland*, the Magistrates declined going there, and departed to their Homes. The next Day several of the Inhabitants of the *Little Cove* came to me at *Philip Davie's*, and gave me a Petition, addressed to the Governor, purporting, that they were settled to the North of the Temporary Line, in the Province of *Pennsylvania*, Westward to the Place where that Line was left off, and prayed that his Honour might suffer them to remain there, till the Line should be extended, and the Purchase made of the Lands from the *Indians*. Finding

the Petition signed only by a few, I returned it, telling them, when it was signed by more, if it should appear to me that they were North of the Temporary Line, I would recommend their Case to the Governor; but; that if they were settled to the South of the Temporary Line, they were in the Jurisdiction of *Maryland*, and this Government would have nothing to do with them; adding, that what had been done was solely with a View to prevent an *Indian* War, and was undertaken as much to serve the neighbouring Colonies as our own; that there was good Harmony subsisting between the Governments of *Pennsylvania* and *Maryland*, and I hoped it would always continue; and recommended it to them earnestly, not to have Recourse to this Government, if they were to the South of the Line; of if they were really to the North of it, that they would give no Umbrage to *Maryland*, but behave friendly, and be sure to avoid creating any Cause of Complaint from the Governor of *Maryland*.

I have truly related the several Matters of Fact in the Order they were done by the Magistrates as well as myself: but I should not do Justice to myself, or Mr. *Weiser*, in whom your Honour placed the same Confidence, and whom I principally consulted about the Mode of executing your Commands, if I should close my Report here, without giving the History of these Settlements, and shewing upon what solid and just Reasonings our Proceedings were founded: Your Honour will therefore indulge me, in laying this Matter particularly before you, that it may appear we have acted a right and dutiful Part to the Government, and a kind and affectionate Part to these indiscreet People.

About the Year 1740 or 1741 one *Frederick Star*, a *German*, with two or three more of his Countrymen, made some small Settlements at the very same Place where we found *William White*, the *Galloways*, and *Andrew Lycon;* which were discovered by the *Delawares* at *Shamokin*, to the Deputies of the *Six Nations*, as they came down to *Philadelphia* in the Year 1742, to hold a Treaty with this Government; and they were so disturbed at it, as to enquire, with a peculiar Warmth, of Governor *Thomas*, if these People had come there by the Orders, or with the Privity of the Government; alledging that if it was so, this was a Breach of the Treaties subsisting between the *Six Nations* and the Proprietor *William Penn*, who in the most solemn Manner had engaged to them, not to suffer any of the People to settle Lands till he had purchased them from the Council of the *Six Nations*. The Governor, as he might with

great Truth disowned any Knowledge of these Persons Settlements; and, on *Indians* insisting that they should be immediately thrown over the Mountains, he promised to issue his Proclamation, and if this had no Effect, to put the Laws in Execution against them. The *Indians* in the same Treaty, publicly expressed very severe Threats against the Inhabitants of *Maryland*, for settling Lands for which they had received no Satisfaction; and said, if they would not do them Justice, they would do Justice to themselves; and would certainly have committed Hostilities, if a Treaty had not been set on Foot between *Maryland* and the *Six Nations*, under the Mediation of Governor *Thomas;* at which the *Indians* consented to sell the Lands, and receive a valuable Consideration for them, which put an End to the Danger.

The Proprietaries were then in *England*, but observing, on perusing the Treaty, with what Asperity they had expressed themselves against *Maryland*, and that the *Indians* had just Cause to complain of the Settlements at *Juniata*, so near *Shamokin*, they wrote to their Governor in very pressing Terms, to cause those Trespassers to be immediately removed; and both the Proprietaries and Governor laid their Commands on me to see this done, which I accordingly did in *June*, 1743, the Governor having first given them Notice, by a Proclamation served upon them.

At that Time none had presumed to settle at a Place called the *Big Cove* (having this Name from its being enclosed in the Form of a Bason by the furthermost Range of the *Kittochtinny Hills* and the *Tuscoraro Hills*, which last end here, and lose themselves in other Hills); this *Big Cove* is about five miles North of the Temporary Line, and not far to the West of the Place where the Line terminated. Between the *Big Cove* and the Temporary Line lies the *Little Cove*, so called from being likewise encircled with Hills, and to the West of the *Little Cove* towards *Patowmec* lie two or three other Places, called the *Big* and *Little Conolloways*, all of them situate on the Temporary Line, was it to be extended towards *Patowmec*. In the Year 1741 or 1742 Information was likewise given, that People were beginning to settle in these Places, some from *Maryland*, and others from this Province: But as the two Governments were then not on very good Terms, the Governor did not think it proper to take any other Notice of these Settlements, than to send the Sheriff to serve his Proclamation on them, though it gave ample Occasion to lament the vast Inconveniences which attend unsettled Boundaries. After this the *French* War came

on, and the People in those Parts taking Advantage of the Confusion of the Times, by little and little stole into the *Great Cove;* so that at the End of the War, it was said Thirty Families had settled there, not however without frequent Prohibitions on the Part of the Government, and Admonitions of the great Danger they run of being cut off by the *Indians*, as these Settlements were on Lands not purchased of them: And at the Close of the War, Mr. *Maxwell*, one of the Justices of *Lancaster* County, delivered a particular Message from this Government to them, ordering their Removal, that they might not occasion a Breach with the *Indians*, but it had no Effect.

These were, to the best of my Remembrance, all the Places settled by the *Pennsylvanians* in the unpurchased Part of the Province till about three Years ago, when some Persons had the Presumption to go into the *Path-valley*, or *Tuscoraro Gap*, lying to the East of the *Big Cove*, and into a Place called *Aucquick*, lying to the Northward of it; and likewise into a Place called *Sheerman's* Creek, lying all along the Waters of *Juniata*, and is situate East of the *Path-valley*, through which the present Road goes from *Harris's* Ferry to *Allegheny;* and lastly, they extended their Settlements to *Big Juniata;* the *Indians* all this while repeatedly complaining, that their Hunting-ground was every Day more and more taken from them; and that there must infallibly arise Quarrels between their Warriors and these Settlers, which would in the End break the Chain of Friendship, and pressing in the most importunate Terms their speedy Removal. The Government in 1748, send the Sheriff, and three Magistrates, with Mr. *Weiser*, unto these Places to warn the People; but they, notwithstanding, continued their Settlements, in Opposition to all this; and, as if these People were only prompted by a Desire to make Mischief, settled Lands no better, nay not so good, as many vacant Lands within the purchased Parts of the Province.

The Bulk of these Settlements were made during the Administration of President *Palmer;* and it is well known to your Honour, though then in *England*, that his Attention to the Safety of the City and Lower Counties, would not permit him to extend more Care to Places so remote.

In these Circumstances Matters stood between the *Indians* and this Province, when the *Six Nations* came last Summer to visit the Government, on the Closing of the War, and to receive a Present in Reward of their Fidelity. At this Treaty they renewed their Complaints, of the Injuries received by these Encroachments on their Hunting grounds, and peremptorily in-

sisted on the Removal of the Intruders; and your Honour, as as Expedient to quiet them, proposed a Purchase of those Lands from the *Indians;* signifying to them, that it would be more agreeable to you to buy them (as the Cause of Complaint principally arose there) than any other; but they absolutely refused, and instead thereof made an Offer of about two Millions of Acres on the East-side of *Sasquehannah*, saying the People might go and settle there, which was accepted, and a Sum of Money paid them down; and thereupon a Proclamation was issued, to warn the People against continuing or settling on any unpurchased Land over *Sasquehannah*, on the severest Penalties; but this making no Impression, your Honour issued Orders to me and Mr. *Weiser*, to effect their Removal.

I leave it to Mr. *Weiser* (as he was joined with me by your Honour) to make his own Report; and shall only observe, that in all our Consultations, he (who is *Indian* Interpreter for *Virginia* and *Maryland* as well as this Province, and must be supposed to know the Minds of the *Indians* the best) proceeded on this as a certain Truth, that if we did not in this Journey entirely remove these People, it would not be in the Power of the Government to prevent an *Indian* War; and that, as the neighbouring Provinces were as much concerned in this Event as ourselves, he recommended it to the Magistrates either not to go, or to act with the utmost Spirit; and his Arguments were so convincing, that all the Magistrates determined to go in a Body.

I had furnished myself with Blank Convictions and Mittimus's settled by the Attorney General on the Act of Assembly, entituled, *A supplementary Act*, &c. and had taken his Instructions, and was determined to proceed by Conviction, Fine and Imprisonment; but when, on the very first Attempt to convict and imprison, the two *Galloways* fled from the Sheriff, it then appeared very plain to every Body that this Method would not answer; and that, if the Trespassers, who were more numerous in other Parts, should believe they were to be carried to Prison, they would either unite, and with a superior Force resist the Magistrates; or they would flee from Justice, and, in short, that the whole Design must infallibly miscarry.

And it was remembered, that in a similar Case, on Complaint of the *Indians*, in the Year 1721, the Magistrates residing in that Part of the Province did, by Order of the then Governor, burn and destroy the Houses and Habitations of certain Settlers on Lands on the West-side of *Sasquehannah*, without Right. On this the Persons in Custody were told,

that they should deliver Possession of their Places to me, and become bound in a Bond to the Proprietaries in *Five Hundred Pounds*, conditioned to move off with all their Cattle, *&c.* And that in the Condition they should acknowledge, they had given Possession to me for the Proprietaries; and were told at the same Time, that some Cabbins must be burnt: With this they were satisfied, and chearfully executed the Bonds, and expected, that as their Cabbins did not belong to the Proprietaries, the Person in Possession for them might do what he pleased with them, and that some, if not all, would be destroyed.

At the *Path-valley*, and indeed at all other Places, the Offenders were got together, and were told by the Magistrates beforehand, what was intended to be done; and that all the new settled Cabbins would be burnt. After they were told this, they executed the Bonds, thereby putting me into Possession, and very chearfully and voluntarily took every Thing out of their Log-houses, and assisted in burning them. In truth, all submitted in every Place, except the two *Galloways*, and *Andrew Lycon;* and even the two *Galloways* came voluntarily after their Cabbin was burnt, and surrendered their Persons, and entered into Bonds, and expressed Satisfaction at what had been done to their Cabbin; saying, that if the *Indians* were determined they should not stay there, it was better to go away directly, as it was Summer-Time and mild Weather.

Finding such a general Submission, and verily believing the Evil would be effectually taken away, there was no Kindness in my Power which I did not do for the Offenders; giving them Money where they were poor, and telling them they might go directly on any Part of the two Millions of Acres lately purchased of the *Indians;* and where the Families were large, as I happened to have several of my own Plantations vacant, I offered them to stay on them Rent-free, till they could provide for themselves; then I told them, that, if after all this Lenity and good Usage, they would dare to stay after the Time limited for their Departure, no Mercy would be shewed, but that they would feel the whole Rigour of the Law.

It may be proper to add, that the Cabbins or Log-houses which were burnt, were of no considerable Value; being such as the Country People erect in a Day or two, and only cost the Charge of an Entertainment.

Thus I have given your Honour a full Relation of this whole Transaction, humbly hoping the Part I have acted therein will meet with your Approbation; and that It will have the desired

good Effect in removing the Trespassers, and prevent their returning to their Settlements, and any future Clamours or Complaints from the *Indians* on that Head, and am

Your Honour's *Most obedient humble Servant,*
Philadelphia, July 2, 1750. RICHARD PETERS.

A Petition from *Andrew Work*, Sheriff of the County of *Lancaster*, setting forth, that the House in their first Session having received a Complaint of an undue Election of Representatives, *&c.* for the said County, has been pleased to order the Petitioner to summon the several Inspectors and others officiating at the said Election, to appear before the House at their ensuing Session; that in due Obedience to the said Order, he had performed the same, and travelled through the distant Parts of the County (then very extensive) with much Difficulty and Hardship in the Extremity of cold Winter Weather, and at a considerable Expence, amounting to upwards of *Twenty Pounds;* and praying that the House would take his Case into Consideration, and grant him such Relief as to their Wisdom shall seem meet, was presented to the House and read, and *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from *Robert Shewell*, of the City of *Philadelphia*, Baker, was presented to the House and read, setting forth, that the Petitioner is informed the Acts now renewing, wherein the Office of Flour-Brander is appointed; that he hath for many Years experienced the Qualities of Flour, and conceives that he is a competent Judge thereof; and therefore prays that he may be appointed the Officer for the City and County of *Philadelphia. Ordered to lie on the Table.*

The Governor's Message was again read, and considered, Paragraph by Paragraph, and the further Consideration thereof referred to To-morrow Morning.

The Governor, by his Secretary, sent down the Bill for regulating the Probate of Wills within this Province, with a Message, "That the Bill abolishes long settled Modes of trying last Wills and Testaments, and Jurisdictions established under the Royal Charter, and by two Acts of Assembly, and creates new Jurisdictions, with such unlimited Powers, that the Consequences to the People cannot easily be foreseen; that as the Bill now stands, the Governor is apprehensive it may subvert Estates real held by former Wills, render Purchases under future Devises precarious, and so endanger Executors and

Administrators, that no Man can hereafter safely undertake these Trusts; that supposing the Governor and Assembly should think convenient to carry the principal Designs of the Bill into a Law, yet if his Apprehensions are well founded, the Bill will need so many Alterations and additional Clauses to avoid the Inconveniencies, and not incur others, that he inclines to think it a Subject proper for a Time of more Leisure, when the House can give it all the Attention an Affair of such Importance requires."

And the House conceiving that there will not be Time in this Sitting to reconsider the said Bill, recommend it to the Consideration of the ensuing Assembly.

Then the House adjourned to Three o'Clock, *P. M.*

The House taking into Consideration that the Supplement to the Flour Act is near expiring,

Ordered, That *Edward Warner*, *Israel Pemberton*, *Oswald Peele*, *John Woolston*, *Joseph Gibbons*, *Peter Worrel* and and *John Wright* be a Committee to prepare and bring in a Bill for continuing the same.

The Petition of *Andrew Work*, Sheriff of *Lancaster* County, was again read, and *Ordered to lie on the Table.*

The further Consideration of the Petitions relating to Ferries, is referred to the succeeding Assembly.

The further Consideration of the Acts relating to Publick Houses, is referred to the succeeding Assembly.

The Petition from the County of *Lancaster*, relating to Workhouses, was again read, and referred to the Consideration of the next Assembly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from *Evan Morgan*, of the City of *Philadelphia*, Cooper, setting forth, that he is well qualified for exercising the Office of Collector of the Excise, and able to give good Security for the faithful Discharge of the same; and praying, that if a new Officer be chosen, he may be appointed the Collector aforesaid; was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from *Daniel Williams*, of the City of *Philadelphia*, setting forth, that he is informed the House is disposed to remove the present Officer for collecting the Excise; that he conceives he is qualified to discharge that important Trust; and therefore praying to be appointed the Officer; was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from *Joseph Redman*, of the City of *Philadelphia*, setting forth, that he understands the Office of Collector of the Excise is become vacant, and therefore prays to be appointed the Officer; promising in such Case, to discharge the said Office with Diligence, punctuality and Honour, was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from *William Fisher*, of the City of *Philadelphia*, setting forth, that he is informed the Office of Collector of the Excise will become vacant by the Removal of the present Officer, which induces the Petitioner to request that the said Office may be conferred on him; was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from *John Jervis*, of the City of *Philadelphia*, setting forth, that he is informed the House intends to remove the present Officer for collecting the Excise of the said City and County; and the Petitioner conceiving that he is well qualified for executing the said Office, requests that he may be appointed to succeed therein; was presented to the House and read, and *Ordered to lie on the Table.*

The Governor's Message was again read, and considered.

Ordered, That *Thomas Leech*, *Oswald Peele*, *Richard Walker*, *Thomas Cummings* and *James Wright* be a Committee to prepare a Draught of an Answer to the said Message, and report the same to the House.

Then the House adjourned to Three o'Clock, *P. M.*

A Bill for the Continuance of an Act of Assembly of this Province, entituled, *An Supplementary Act to the Act, entituled, An Act for preventing the Exportation of Bread and Flour not merchantable, and for the new Appointment of Officers to put the said Law in Execution*, was read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from *Joseph Galloway*, praying to be appointed the Officer for collecting the Excise for the City and County of *Philadelphia*, was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from *Judah Foulke*, praying to be continued in the Office of Collector of the Excise for the City and County of *Philadelphia*, as he expects to be able to procure such farther Security as may be satisfactory to the House for his future faithful Performance; and promising to discharge his Trust with such Diligence and Application, as to prevent any

Cause of Complaint hereafter, was presented to the House and read, and *Ordered to lie on the Table.*

The Bill for the Continuance of an Act of Assembly of this Province, entituled, *A Supplementary Act to the Act*, entituled, *An Acts for preventing the Exportation of Bread and Flour not merchantable, and for the new Appointment of Officers to put the said Law in Execution;* was read a second time, and considered, and ordered to be transcribed for a third Reading.

Then the House adjourned to the next *Second-day*, at Three o'Clock, *P. M.*

The House met pursuant to their Adjournment.

A Petition from *John Hood*, Practioner in Physick, was presented to the House and read, setting forth, that he is informed the present Collector of the Excise for the City and County of *Philadelphia* will be removed; and praying to be appointed in his Room. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

Ordered, That *Oswald Peele*, *Joseph Trotter*, *Edward Warner*, *Joseph Hampton*, *Thomas Cummings*, *Peter Worral* and *John Wright*, be a Committee to inspect and settle the Accounts of the incidental Charges of the current Year.

The Bill for the Continuance of an Act of Assembly of this Province, entituled, *A Supplementary Act to the Act*, entituled, *An Act for preventing the Exportation of Bread and Flour not merchantable, and for the new Appointment of Officers to put the said Law in Execution*, being transcribed, was read the third time.

And the several Petitions for the Office of Flour Brander being again read;

Resolved, That *Joseph King* be the Officer to execute the Flour Act for the City and County of *Philadelphia.*

Resolved, That *Joseph Atkinson* be the Officer to execute the Flour Act in the County of *Bucks.*

Resolved, That *Thomas Cummings* be the Officer to execute the Flour Act in the County of *Chester.*

And their Names were inserted in the Bill accordingly.

And the further Consideration of the said Bill was referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The House proceeded in the Consideration of the Bill for the Continuance of an Act of Assembly of this Province, en-

titled. *A Supplementary Act to the Act for preventing the Exportation of Bread and Flour not merchantable, and for the new Appointment of Officers to put the said Law in Execution.*

Resolved, That the Bill do pass.

Ordered, That *Joseph Trotter* and *George Ashbridge* carry up the same to the Governor, and desire his Concurrence thereto.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read by Order, and considered and agreed to by the House and ordered to be transcribed, that it may be sent up to the Governor.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Flour Bill, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would consider it, and give it Dispatch.

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

THE Governor's Care, in issuing his Proclamation last Summer, 'upon the Complaints of the Deputies of the *Six Nations* against such as had settled on their unpurchased Lands, and the Measures he has since taken to prevent all Cause of Complaint, appear to us prudent, and absolutely necessary; and we hope, the Lenity shewn towards such as 'were then spared,' in Commiseration of their Circumstances, and on their Bonds to remove a very short Time, may not be attended with any ill Consequences: And this we have the more Reason to expect, as we are now informed the Lord Chancellor has lately given a Decree in Favour of our Proprietaries, which may settle the Boundries between us and our neighbouring Colony, and put an End to any ill Offices, or future Quarrels, between us on that Account: But should those Settlers, who have been so tenderly dealt with, unhappily suffer themselves to be 'spirited up to stay,' and by that Means not only continue the Cause of Complaint themselves, but by their Example draw others to return to the old, or any other Settlements, as this would be highly ungrateful, and 'acting in open Contempt of the Government,' and might involve the whole Province in great Difficulties, and themselves and their Families in Destruction, we desire the Governor

would 'strictly put the Laws in Execution against them'; and if any further Assistance of ours should be necessary in an Affair of such Importance to the Peace of the Province, we shall readily contribute whatever can reasonable be expected from us.

Though the 'Accounts from *Ohio* mention, that the *French* still continue their Threats against the *Indians*, who carry on Commerce with our Traders'; 'and that they are frequently alarmed, as if the *French* were approaching in a military Manner, 'yet as they keep themselves upon their Guard, and 'as nothing hostile has hitherto been attempted, we hope, with the Governor, this may blow over.' And 'from the Caution and Unanimity of the *Indians* in our Alliance,' the *French* may be obliged to alter their Measures.

Ever since the *Twightwees*, upon their earnest Solicitations, and by the Intercession of the *Six Nations*, became our Allies, we have taken them under our Notice, and as such have made them Sharers in our Presents: However, since they withstood the Solicitations of the *French*, as they engaged themselves to do by the Treaty at *Lancaster;* and as they have refused to receive any Presents from them, in Proof of their Attachment to us, at the same Time intimating, 'they would be pleased to receive some Testimony of our Regard,' and as on their Admission to our Alliance, the Deputies of the *Six Nations* candidly informed us, though they were numerous, and worthy of our Friendship, 'yet they were poor,' we are of Opinion, considering the Service they may be of to us, and 'the large Addition which is made to the Trade of this Province by their Means,' it may be prudent, and accordingly we have agreed to make them some 'small Present' at this Time.

The Accounts from *Andrew Montour*, which have been laid before us by the Governor's Order, are under our Consideration, and we think it reasonable to make him such Allowance as shall appear a 'suitable Recompence for his Services;' the Esteem he is in with the *Indians*, the great Confidence they place in him, his Discretion, and Residence at *Ohio*, are good Reasons for the Governor's recommending him to our Notice. Such a Person we judge must be of use to influence their Conduct, and keep them firmly attached to the *British* Interest; and as he is ready and willing to serve the Province to the utmost of his Power, he deserves to be encouraged, especially as the *Indians* of those Parts are not of the most 'prudent Behaviour, and at a Time when the *French* leave no 'Means unattempted to alienate their Affection from us.

and exclude us from any Share of the Benefits of trading with them.

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Joseph Trotter* and *Peter Worral* wait upon the Governor, and deliver the same.

It being moved that some Allowance should now be made to the Estate of the late Speaker for his Service; and the Question being put, whether such Allowance should be for his Services in gross, or separately for each Article? It was resolved, that the Allowance be made separately; and the further Consideration thereof was referred to the Afternoon.

Then the House adjourned to Three o'Clock in the Afternoon.

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same according to Order.

The House resumed the Consideration of the Allowances to be made for the late Speaker's Services; and the Question being put, that *Eighty Pounds* be now allowed for his Service in Drawing Bills at the last Sitting? It *Past in the Negative.*

And the Question being put, that *Sixty Pounds* be now allowed for the said Service? It *Past in the Negative.*

Resolved, That *Fifty-three Pounds* be allowed for that Service.

And a Question being put, whether a further Allowance than what is provided by Law, should be made to the late Speaker as Trustee of the General Loan-Office, for exchanging old and torn Bills, many of them being of the smallest Denominations? It *Past in the Negative.*

Resolved, That *Two Hundred Pounds* be allowed to the late Speaker's Estate, for his Salary as Chief Justice.

And for his Service as Speaker of this Assembly, *Thirteen Pounds Twelve Shillings.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to audit and settle the Accounts of the General Loan-Office, and other Publick Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Perusal of the Members.

The Governor, by his Secretary, send down the Flour Bill, with one Amendment, and a Message, that he is ready to pass it so amended, when presented to him by the House for that Purpose.

And the House agreeing to the said Amendment, ordered the Bill to be engrossed accordingly.

Then the House adjourned to Three o'Clock, *P. M.*

The Petition from *Judah Foulke* was again read, together with a Certificate from the Sheriff of the County, that he had taken Effects of the said *Judah Foulke's*, to be disposed of for the Discharge of his Debt to the Treasury, of the Value of £700, at a low Estimate; and another Certificate from four substantial Freeholders that they were willing and ready to enter into such Securities to the Provincial Treasurer for the said *Judah Foulke's* faithful Execution of the Office of Collector of the Excise for the future, as the House shall judge sufficient, and therefore praying that he may be continued in the said Office.

Resolved, On the Question, That a new Officer be now appointed in the Room of *Judah Foulke*, to collect the Excise for the City and County of *Philadelphia*.

Then the several Petitions for that Office were read in their Order; And the Question being put, that *Evan Morgan* be appointed the Officer for Collecting the Excise, *&c.* It *Past in the Negative.*

And the Question being put, that *Daniel Williams* be appointed the Officer for Collecting the Excise, *&c.* It *Past in the Negative.*

Resolved, That *Joseph Redman* be appointed the Officer for Collecting the Excise of the City and County of *Philadelphia*, in the Room of *Judah Foulke*, until the Time that a new Appointment is by Law to be made by the Assembly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Treasurer attending without, was called in, and represented to the House, that the Accounts of the late Collector of Excise for the City and County of *Philadelphia*, are only settled by the Committee to the first of the last *Fourth Month*, and desired, that the House would at this Time take Measures for procuring a Settlement of the said Accounts to the Time of the said Collector's Discharge from his Office. And then withdrew.

And the House considering the Treasurer's Representation,

Ordered, That the Committee of Publick Accounts do audit and settle the Remainder of the said late Collector's Accounts, and report thereon to the House.

Ordered, That *Thomas Leech* and *Hugh Evans* wait on the Governor, and acquaint him, that the House inclines to ad-

journ To-morrow, and desire him to appoint a Member of his Council to join a Member of this House, in comparing a Bill that hath had his Concurrence, with the engrossed Copy, in order to its being passed into a Law.

Resolved, That the Sum of *One Hundred Pounds* be allowed as a Present to the *Twightwee Indians*.

The House reconsidered the Secretary's Accounts, recommended to further Consideration by the last Assembly; and resolved, that such Allowance has already been made on those Accounts as the House judge reasonable.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait on the Governor with the Message of the Morning, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would appoint his Secretary to compare the Bill with a Member of the House; and that he would be ready to pass it To-morrow Morning.

The House resumed the Consideration of the Account of *Richard Sewell*, Sheriff of the County of *Philadelphia;* and the Committee to whom it was referred, having examined the same, and reporting it as their Opinion, that none of the Articles are proper Charges on the Province, the Laws having already provided for the Payment thereof; the House agreed to the said Report.

Thomas Leech report, that he hath, with the Secretary, compared the engrossed Bill with the Original, and finds it to agree.

Ordered, That *George Ashbridge* and *Richard Walker* wait upon the Governor, and acquaint him, that the engrossed Bill is compared and found to agree with its Original; and desire to know when he will be pleased to receive the House in order to the passing of the same into a Law.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would receive the House this Day at Eleven o'Clock in the Council Chamber.

Ordered, That *Thomas Leech* and *James Morris* see the Great Seal affixed to the Law after it shall be passed, and the same deposited in the Rolls Office.

Resolved, That the Sum of *Four Hundred Pounds* be now given to the Honourable JAMES HAMILTON, Esq; Governor

of this Province, being the Remainder of his Support for the current Year.

And an Order was accordingly drawn on the Treasurer, and signed by the Speaker, by Order of the House.

A Message from the Governor, by the Secretary, that the Governor is now ready to receive the House, and requires their Attendance immediately in the Council Chamber.

Then the Speaker, with the whole House, waited on the Governor.

And being returned, the Speaker reported, that the House had waited on the Governor, and presented the Bill, entituled, *A Supplementary Act to the Act, entituled, An Act for preventing the Exportation of Bread and Flour not merchantable, and for the new Appointment of Officers to put the said Law in Execution;* to which the Governor had been pleased to give his Assent by enacting the same into a Law: And that the Speaker had also presented him with an Order on the Treasury of *Four Hundred Pounds* for his Support, for which he had been pleased to thank the House.

Then the House adjourned to Two o'Clock, *P. M.*

Resolved, That *Thomas Leech* be appointed Trustee of the General Loan-Office in the Room of *John Kinsey*, Esq; deceased.

The Report of the Committee of Publick Accounts being approved by the House, follows in these Words, *viz.*

WE, *the* COMMITTEE *appointed by Order of Assembly to settle the Accounts of the* GENERAL LOAN-OFFICE *of the Province of* Pennsylvania, REPORT,

THAT, upon the Death of John Kinsey, Esq; acting Trustee of the General Loan-Office aforesaid, we met and proceeded upon the Accounts of the said Loan-Office; and upon a careful Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by virtue of any of the Acts of Assembly for emitting Paper Bills of Credit. And, undischarged,

WE find there are principal Sums or Quotas thereon to become due and payable to the Trustees amounting to, ...	£49,936	10	0
That it appears by a List of 120 Mortgage Deeds, taken on a third Re-emission of the second £80,000 Act, there has been lent out before the Death of John Kinsey, Esq; the Sum of	7,939	15	0

And by a List of 21 Mortgages, taken on a fourth Re-emission of the same Act, the further Sum of, ...	1,443	0	0			
And that the Quotas outstanding and then due on all the Mortgages Deeds in said Offices, amounted to the Sum of	17,542	15	0			
				£76,862	0	0
That several Sums lent the Publick, to be repaid into the Hands of the Trustees, are not yet paid, viz.,						
The whole Sum appropriated by the second £30,000 Act, towards building the State-House, ...	2,000	0	0			
Part of the Sum lent the City of Philadelphia, to build Alms-Houses, ...	187	10	0			
Part of the Sum lent the City of Philadelphia, ...	156	0	0			
Part of the Sum lent the Province, and put into the Hands of the Provincial Treasurer, by the second £30,000 Act, ..	200	0	0			
				£2,543	10	0
				£79,405	10	0
Balance due to the Province, and paid to the surviving Trustees, ...				594	10	0
Makes the whole Sum of Paper Bills issued upon Loan, ...				£80,000	0	0
THAT the Trustees upon the Account of Interest, are charged with the Balance due to the Province at last Settlement in August 1749, ...	£2,349	18	1			
And Interests outstanding on all the Mortgage Deeds at the Settlement, ...	7,067	6	4½			

And with Interest arising on all the Mortgage Deeds for the current Year, ...	2,882	4	6½		
And with broken Interest received before the Death of John Kinsey, and since last Settlement, ...	519	12	11		
				£12,819	1 11
THAT upon a thorough Examination of the Indorsements upon the Mortgage Deeds remaining in the General Loan-Office whereon any Payments are yet due, we find Interest outstanding at the Death of John Kinsey, for which we give the Trustees Credit, amounting to the Sum of, ...	£8,205	8	7		
We likewise give them Credit for an Overcharge on Matthew Inglis's Mortgage in Interest,	3	0	0		
And for sundry Orders of the House, *viz.* Orders paid for Assembly Men's Wages, ...	353	0	0		
Paid John Kinsey, Esq; his Salary as Chief Justice of this Province, ...	200	0	0		
Paid Ditto, per Order of the House for other Services, ...	80	0	0		
Paid to Thomas Graeme, one of the Judges, his Salary, ...	60	0	0		
Paid William Till, another of the Judges, his Salary, ...	60	0	0		
Paid to William Logan, his Account for Indian Goods, ...	100	1	0		
Paid to Ditto, for Ditto, ...	181	5	8		
Paid to Thomas Burden, Door-Keeper, ...	14	3	0		
Carried over, ...	9,256	18	3		
Debet Brought over, ...				£12,819	1 11
Credit brought over, ...	9,256	18	3		

Paid to Thomas Leech, for Stamps for the last Paper Money, ...	12	10	0
Paid to Samuel Kirk, for Wood, &c.	14	2	4
Paid to John Davis's Executors, for his Signing Paper Money, £29 14 0 Paid to John Jervis, the Remainder's Signing Ditto, .. 4 6 0	34	0	0
Paid to Joseph Hampton, for Signing Ditto, ... Paid to Thomas Leech, towards finishing the State-House, 60 0 0	34	0	0
Paid to Ditto, towards the new Addition to the State-House, 250 0 0	310	0	0
Paid to Reese Meredith, for a £200 Sterling Bill remitted the Agent of the Province, ..	350	0	0
Paid to Isaac Greenleaf, for a £200 Sterling Bill remitted to Ditto, ...	350	0	0
Paid to Lynford Lardner, for the Proprietor, ...	130	0	0
Paid to Benjamin Franklin, for printing Paper-Money,in Part,	112	10	0
Paid to the Trustees of the Province Island, towards building Pest-Houses, ...	200	0	0
Paid for Sweeping the State-House Chiminies, ...	0	2	6
Paid to William Till, per Order of the House, 1748, ...	18	0	0
To the Chief Justice, his Salary for the current Year, allowed by the House, ...	200	0	0
To Ditto, for his Service as Speaker 34 Days, at 8*s*, ...	13	12	0
To an Allowance made him by the House for Drawing Bills, &c, ...	53	0	0

For exchanging £4,028 14*s* for torn Bills, Allowance by Law,	11	2	6			
The Trustees Salaries, due the 16th of May last, £500 of which the late Trustee paid only, ...	310	0	0			
	£11,409	17	7			
Balance due to the Province,	1,409	4	4			
				£12,819	1	11
Of which Sum the Administraors of John Kinsey paid into the Hands of the surviving Trustee the Sum of £286 18*s* 9*d*,						
Leaves the Sum of £1,122 5*s* 7*d* now due from the Estate of John Kinsey, deceased,						
We do likewise Report, that we have examined the Provincial Treasurer's Accounts, and find that he Credits the Province for the Balance of Accounts settled with the Committee, August 1749, ...	£900	13	7			
By Cash received from Judah Foulke, Collector of Excise for the City and County of Philadelphia, since the same Settlement, ...	1,720	0	0			
By Cash received from William Atkinson, late Collector, and John Hall, present Collector of Excise for the County of Bucks, ...	93	5	0			
By Jeremiah Star, Collector for the County of Chester, ...	342	13	6			
By Arthur Patterson, Collector for the County of Lancaster,	233	8	6			
By David M'Conaughy, Collector for the County of York, ...	32	6	10			
				£3,322	7	5

THAT he charges the Province with sundry Sums, paid by Order of the House of Assembly, viz.			
To an Order paid William Donnick, ...	£ 4	9	3
To Ditto paid Charles Brockden,	25	7	9
To Ditto paid Richard Farmer,	3	16	1
To Ditto paid Benjamin Hooton,	5	0	0
To Ditto paid Charles Stow, ..	5	12	6
To Cash paid James and Joseph Morris for Indian Goods, in Part of the £500 voted by the Assembly for a Present to the Indians, ...	23	9	0
To an Order paid John Jervis,	1	10	0
To Ditto paid Conrad Weiser, ..	173	6	0
To Ditto paid Samuel Kirk, ..	8	0	0
To Ditto paid Thomas M'Gee, ..	5	8	0
To Ditto paid John Owen, ...	6	0	0
To Ditto paid John Stephens, ..	58	11	0
To Ditto paid Benjamin Franklin, ...	105	18	0
To Ditto paid Edward Warner,	7	0	0
To Ditto paid Lewis Evans, ..	10	0	0
To Ditto paid Isaac Norris, ..	0	10	0
To Ditto paid Norris and Griffitts, ...	6	8	0
To Ditto paid Richard Peters,	51	8	6
To Ditto paid George Croghan's Order, for Indian Affairs, ..	40	5	0
To Ditto paid Thomas Lightfoot, for Goods, Part of the 500 l. Present to the Indians, ...	72	10	0
To Ditto paid Henry Ote, ...	5	0	0
To Ditto paid Tench Francis's Salary, as King's Attorney, ..	70	0	0
To Ditto paid Richard Sewell, ..	4	4	0
To Ditto paid James Brook's Order, ...	2	0	0
To Ditto paid Edward Warner and Thomas Leech, the Expences of the Indians, ...	256	11	6

To Cash paid William Logan, for Goods, in Part of the £500 aforesaid, ...	100	0	0	
To Ditto paid Smith and James, for Goods, in Part of the £500,	50	14	0	
To Ditto paid James Sterrett, per Order, ...	5	0	0	
To Ditto paid Richard Peters, Conrad Weiser's Order, ...	87	19	2	
To William Atwood's Order, for Goods, in Part of the £500, ...	6	0	0	
To Cash paid Mahlon Kirkbride, Per Order, ...	6	0	0	
To Cash paid the Governor's Order, to Richard Peters, Remainder of his Support, ...	600	0	0	
To Ditto paid Abraham Mitchell, in Part of the £500 Present, ..	3	5	6	
To Cash paid by an Order of Assembly, to William Allen, in the Year 1748, ...	16	7	3	
To Ditto paid Edward Shippen, in Part of the said £500, ...	50	0	0	
To Ditto paid Richard Peters, the Governor's Order, in Part of his Support, ...	600	0	0	
To Ditto paid Reese Meredith, in Part of said £500 Present,	14	15	0	
To Ditto paid Hugh Roberts, in Part of Ditto, ...	3	15	0	
To Ditto paid Katherine Lightfoot, in Part of Ditto, ...	2	2	0	
To Ditto paid an Order of David M'Neer, ...	0	18	0	
To Cash paid to the Trustees of the General Loan-Office, pursuant to the Act of Assembly, that gave £5000 to the King's Use, ...	500	0	0	
	£2,999	0	6	
To his Commissions thereon, ..	149	19	0	
Balance due to the Province,	173	7	11	
				£3,322 7 5

THAT we have examined the Account of Judah Foulke, Collector of the Excise for the City and County of Philadelphia, and find that he Credits the Province for the Outstandings last Year, settled with the Committee, August 10, ..	£1,125	10	5			
And for the whole Amount of Entries from the first of June 1749, to the first of June 1750,	1,901	8	0			
And for sundry Retailers, at 3 l. per Annum, ...	84	0	8			
And for sundry Fines received,	23	10	8			
				£3,134	9	9
AND that he Charges the Province with Cash paid the Provincial Treasurer, ...	1,720	0	0			
And his Commissions thereon at 5 l. per Cent, as the Law allows, ...	86	0	0			
Balance due to the Province,	1,328	9	9			
				£3,134	9	9
THAT William Atkinson, late Collector of Excise for the County of Bucks, being dead, and John Hall, the present Collector of Excise, being sick and not able to attend the Committee, we were not capable of making any particular Settlement of the Amount of the Excise for that County this Year; but the Treasurer Credits the late Collector William Atkinson, ...	50	0	0			
And John Hall, the present Collector	43	5	0			
				£	93	5	0

THAT we have examined the Accounts of Jeremiah Starr, Collector of Excise for the County of Chester, and find that he Credits the Province for the Balance settled by the Committee last August, ...	£61 18 10		
By the neat Amount of the Excise from the first of June, 1749, to the first of June, 1750,	386 4 0		
By a Fine received of Jeremiah Brown, ...	2 10 0		
		£ 450 12 10	
And that he Charges the Province with Cash paid the Provincial Treasurer, ...	342 13 6		
With his Commissions on the same, at 10 per Cent. as the Law directs, ...	34 5 4		
Balance due to the Province,	73 14 0		
		£ 450 12 10	
THAT we have examined the Accounts of Arthur Patterson, Collector of Excise for the County of Lancaster, and find that he Credits the Province for the Balance due from him last Year, ...	£138 14 9		
And for the neat Amount of the Excise from the first of June 1749, to the first of June 1750,	272 12 11		
		£ 411 7 8	
That he Charges the Province with Cash paid the Provincial Treasurer, ...	233 8 6		
His Commission thereon at 10 per Cent, ...	23 6 10		
Balance due to the Province,	154 12 4		
		£ 411 7 8	
THAT we have examined the Accounts of David M'Conaughy, Collector of Excise for the County of York, and find that he has paid the Provincial Treasurer, ...	£32 6 10		

And that the Amount of Excise for said County is, ...	32	6	10			
And his Commissions thereon, with which Sum he must charge the Province his next Account,	3	4	8			
THAT according to the Report of the Committee last Year, there remained in the Hands of the Trustees, of the Bills struck by the £80,000 Act, to exchange all the old Bills then current in this Province, the Sum of	£2,982	18	6			
And that there remained of the £10,000 struck for Exchange of the old and torn Bills of the £80,000 Act, the Sum of	7,646	9	0			
And that there was struck in small Bills or Tickets, a farther Sum of £5,000, and put into the Hands of the Trustees, to be delivered out or exchanged for other Bills, ...	5,000	0	0			
				£15,629	7	6
Makes the whole Sum then in the Hands of the Trustees £15,629 7*s* 6d. for Exchange for old Bills of all the Emissions: Which said Sum was paid and delivered over into the Hands of the surviving Trustees by the Administrators of John Kinsey, deceased.						
And we do further report, that we have burnt and destroyed of the abovesaid Sum, old and ragged Bills of the several Emissions struck before the £80,000 Act, the Sum of	709	19	6			
Which deducted from the £2,982 18 6 above, leaves the Sum of £2,272 19 0 to compleat the Sinking of all the Bills struck before the Passing of the £80,000						

And we have sunk of old and torn Bills of the £80,000 and of the £10,000 Act, the Sum of	3,220	13	6			
And of the small Bills or Tickets. the Sum of	98	1	0			
Makes the Sum burnt this Year,	4,028	14	0			
Which leaves in the Hands of the Trustees for Exchanging of torn and ragged Bills, the Sum of	11,600	13	6			
				£15,669	7	6
And lastly, we do report, that we have sunk and destroyed in Pursuance of the Act that gave £5,000 to the King's Use, the Sum of	£500	0	0			

submitted to the Correction of the House, 6th Month 16, 1750, *by*

THOMAS LEECH,
EDWARD WARNER, THOMAS CUMMINGS,
MAHLON KIRKBRIDE, PETER WORRAL."

The Committee who were appointed to audit and settle the late Collector's Accounts since the first of the Fourth Month, report, that they have made some Progress therein, but have not had Time to compleat the same.

Ordered, That they do proceed to compleat the same after the Adjournment of the House.

Then the Orders for the Payment of the Salaries of Publick Officers, and other Allowances made by the House, being drawn and signed by the Speaker by Order of the House;

The House adjourned to the 30th of *September* next.

INCIDENTAL CHARGES.

TO the Honourable JAMES HAMILTON, Esq; Lieutenant Governor, the remaining Part of the current Year's Support	£	400	0	0
To *Thomas Graeme*, Esq; one of the Judges of Supreme Court, ...		60	0	0
To *William Till*, Esq; another of the Judges of the said Court, ...		60	0	0
To *Richard Patridge*, Esq; his Salary as Agent, 100 £ Sterl		172	10	0

To the Members of Assembly, for their Attendance, at 5*s* per Day, the gross Sum, ...	350	11	6
To *Tench Francis*, Esq; Attorney General, his Salary, ...	70	0	0
To *Isaac Norris*, Esq; for 20 Days Service on the Committee of Accounts, and burning Paper Money, at 5*s per Diem*, ...	5	0	0
To *Thomas Leech*, for Ditto and Services in settling the Accounts, ...	20	0	0
To *Oswald Peele*, for 14 Days on the Committee,	3	10	0
To *Edward Warner*, for 40 Days Ditto, ...	10	0	0
To *Mahlon Kirkbride*, for 6 Days Ditto, ...	1	10	0
To *Thomas Cummings*, for 18 Days Ditto, ...	4	10	0
To *Richard Peters*, Esq; his Salary, as Clerk of the Council, ...	15	0	0
To Ditto for Warrants to affix the Great Seal, *&c.*	4	5	0
To *Conrad Weiser*, for Services, as per Account, ...	20	0	6
To *Benjamin Franklin*, the Balance of his Account for Paper and Printing of the last Paper Money, ...	264	12	5½
To Ditto for his Account as Clerk of the House, and for Printing Votes, Laws, *&c.*	73	8	6
To *Dr. Thomas Graeme*, for his Account of Medicines, to sick *Indians*, ...	16	5	0
To *Andrew Montour*, for his Service and Disbursements, ...	92	1	0
To *Samuel Kirk*, his Salary as Sergeant, ...	8	0	0
To Ditto for other Services, ...	1	0	0
To *Charles Stow*, Doorkeeper to the Council, for 42 Days, at 2*s* 6d. *per Diem*, ...	5	5	0
To *Edward Kelly*, Doorkeeper to the House, for Attendance and other Services, ...	9	13	10
To *Mary Burden*, for her Services, and for Brushes, ...	4	0	0
	£1,671	2	9½

At an ASSEMBLY *held in* PHILADELPHIA, *the Fifteenth Day of* OCTOBER, ANNO DOMINI 1750.

BY the Returns of the Sheriffs of five Counties, it appears that the following Gentlemen were chosen on the first and second Instant, to serve in Assembly as Representatives of

the Freemen of the Province of *Pennsylvania* for the Year ensuing, *viz.*

For *Philadelphia* County.	For *Bucks* County.	For *Chester* County.
Isaac Norris,	*Mahlon Kirkbride,*	*Joseph Gibbons,*
Edward Warner,	*Joseph Hampton,*	*George Ashbridge,*
Owen Evans,	*John Woolston,*	*Thomas Cummings,*
Hugh Evans,	*Griffith Owen*	*Henry Hockley,*
Joseph Trotter,	*John Hall,*	*Thomas Chandler,*
Israel Pemberton Junior,	*Garret Vansant,*	*Nathaniel Grubb,*
	Richard Walker,	*Nathaniel Pennock,*
Evan Morgan,	*Abraham Chapman.*	*Peter Dicks.*
John Smith.		

For *Philadelphia* City.

Joseph Fox,
William Clymer, } Burgesses.

For *Lancaster* County.

Arthur Patterson, James Wright,
Calvin Cooper, James Webb.

For *York* County.

No Return made, nor Representatives appeared.

For *Cumberland* County.

Joseph Armstrong,
Hermanus Alricks.

And a Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker: and ISAAC NORRIS, Esq; was unanimously chosen Speaker of this House for the Year ensuing, and accordingly was placed in the Chair.

Ordered, That *Edward Warner, Joseph Fox, Mahlon Kirkbride, Joseph Gibbons, Arthur Patterson* and *Joseph Armstrong* wait upon the Governor, and acquaint him, that pursuant to the Charter and Laws of this Province, a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker, and desire to know when he will be pleased to receive the House, that they may present their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would be ready to receive the House this Morning at Eleven o'Clock in the Council Chamber.

The Secretary attending, was called in, and addressing himself to the Speaker, said,

SIR,

The Governor is now in the Council Chamber, ready to receive the House, with their Speaker.

Then the Speaker, with the whole House, waited on the Governor;

And being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Speaker, and that the Governor was pleased to approve their Choice. That the Speaker had then in the Name and Behalf of the House claimed the usual Privileges, *viz.*

That the House during their Sitting in Assembly, may enjoy Freedom of Speech in all their Propositions and Debates.

That the better to discharge the Business of the Publick, they may at all seasonable Times have free Access to the Governor.

That their Persons and Estates may be protected from all Arrests and Insults, during the Time of Privilege accustomed.

That it would please the Governor to take no Notice of any Report, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into a Resolve; nor give the least Credit to such Report. And lastly,

That his own (the Speaker's) unwilling Mistakes may be excused, and not imputed to the House.

All which he had requested as the just Rights and Privileges of the People of *Pennsylvania*, derived and confirmed to them by the Charter and Laws of the Province. And that the Governor was pleased to say, they were the just and undoubted Rights of the House, and should be inviolably preserved to them.

Then the Qualifications by Law appointed, were taken and subscribed, first by the Speaker in the Chair, and then at the Table by the rest of the Members present, in their Order.

Resolved, That *Benjamin Franklin* be Clerk to this House for the ensuing Year;

And he took and subscribed the usual Qualifications accordingly.

Resolved, That *Samuel Kirk* be Serjeant at Arms to this House, for the ensuing Year.

Resolved, That *Edward Kelly* be Door-keeper to this House for the Year ensuing.

Ordered, That *Israel Pemberton*, *Edward Warner*, *John Smith*, *Evan Morgan*, *Joseph Fox*, *Mahlon Kirkbride*, *Thomas Cummings* and *James Webb* be a Committee, to audit and settle the Accounts of the General Loan-Office, and other publick Accounts, and to sink and destroy the Bills of Credit received in Exchange, pursuant to the late Paper Money Act.

And they have Power to send for Persons, Paper and Records.

Resolved, That *Richard Patridge*, Esq; be Agent to this Province for the ensuing Year, at the Court of *Great Britain*.

Ordered, That *Israel Pemberton* and *John Smith* be, with the Speaker, a Committee of Correspondence.

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'IN my Message of the 8th of *August*, to the last Assembly, I mentioned the Apprehensions the *Indians* at *Ohio* were under, from the Menaces of the *French*, who frequently threatened to attack them, for adhering to their Friendship with us; yet as no Hostilities had then been attempted, I was in Hopes, from the Caution and Unanimity of the *Indians* in our Alliance, they might be discouraged from any Undertaking of that Kind: But I am now sorry to acquaint you, that from the Information I have since received, it appears, the *French* are determined at all Events, to bring off the *Indians* from our Alliance: That in Consqence of this Resolution they have been using all possible Artifices to corrupt the *Six Nations* at *Onondago*, and have also very lately sent a large and valuable Present to be distributed among the *Indians* at *Ohio;* and lest these Measures should fail, have actually provided at Fort *D'Etroit*, Magazines of Provisions and warlike Stores, to be in Readiness against the Spring, in order to reduce them by a Body of Forces from *Canada:* In which Design should they succeed, it cannot be supposed they will long suffer those *Indians* to continue in Peace with us; the fatal Consequences whereof, not only to our Trade, but even to the Lives and Properties of our remote Inhabitants, must be obvious to every considerate Person.

That the *French* are resolved at any Rate to embroil us with the *Indians* at *Ohio*, is further confirmed by two Persons, Inhabitants of this Province, who were taken Prisoners in *May* last by seven *French Indians*, within a few Miles of one of the *Twightwee* Towns, at the Instigation of the *French* Officers at Fort *D'Etroit*, to whom they were delivered, and from whom, as he was conveying them to *Canada*, they made their Escape.

Mr. *Weiser*, our Province Interpreter, is now in Town, being just returned from *Onondage*, and brings from thence

likewise very disagreeable News, *to wit:* That, upon the Death of *Canassatego*, and some other of the principal Sachems of the *Six Nations*, who were heartily attached to the *English*, the Person now at the Head of their Councils, is wholly in the *French* Interest.

Thus through the indefatigable Industry of the *French*, not only the *Six Nations* at *Onondago* are much shaken in their Affections to us, and inclining to go over to our Rivals, but the *Indians* at *Ohio* are in great Danger of being corrupted by their Presents, or subdued by their Arms, unless some proper and speedy Measures are taken to prevent it.

This, *Gentlemen*, is the present unhappy Situation of our *Indians* Affairs, according to the best Information I can procure; and, though it is not usual for you to enter on Business of Importance at your first Meeting, yet I am persuaded, that, on Perusal of the Papers, I herewith send you, you will think it incumbent on you, to take the whole Matter into your immediate Consideration, since any Delay, as Things are now circumstanced, may prove of the most dangerous Consequence.

Upon what his Excellency Governor *Clinton* was pleased to write to me on *Indian* Affairs, I immediately directed Mr. *Croghan* and Mr. *Montour* to hasten to *Ohio*, with the small Present provided by the late Assembly for the *Twightwees*, and was in Hopes they would arrive time enough to have disappointed the Schemes of the *French*, and by shewing those *Indians* their true interest, have fixed them steadfastly in our Friendship; but unfortunately they were both prevented by Sickness from proceeding on their Journey; so that as they are not yet gone, I have given Orders to stay them, till I shall be acquainted with the Resolutions of your House on this Subject.

I therefore earnestly intreat you to give these Affairs all the Attention their Importance requires; and that together with your Advice, you will likewise furnish the necessary Means of frustrating the mischievous Designs of our Rivals, the *French;* and enable me effectually to preserve the Fidelity and Friendship of our *Indians* and their Allies.

October 16, 1750. JAMES HAMILTON."

Then the House adjourned to Three o'Clock, *P. M.*

Griffith Owen, returned a Representative for the County of *Bucks*, appeared in the House, and having at the Table taken and subscribed the Qualifications by Law appointed

to be taken by Members of Assembly, he took his Place in the House accordingly.

Sundry Papers communicated to the House with the Governor's Message, were read, and considered.

A Petition from *Conrad Weiser*, Esq; Provincial Interpreter, setting forth, that through some Misunderstanding of his last Account, he was not ordered full Payment, and praying that the House would re-consider that Account, was presented to the House and read; and referred to the Committee of Publick Accounts.

Ordered, That *Joseph Trotter*, *William Clymer*, *Joseph Hamton*, *George Ashbridge* and *James Wright* be a Committee of Aggrievances for the ensuing Year, and they have Power to send for Persons, Papers and Records.

Ordered, That the Minutes be printed, and that *Israel Pemberton* and *John Smith* be a Committee to revise the same before they are printed.

The Sheriff of *York* County attending, was called in, and presented a Remonstrance to the House, which was read, setting forth, that on the first of this instant *October* he opened the Election duly at the Town of *York*, and, with the Assistance of seven Inspectors, began to take the Poll, and continued it regularly and quietly for some Time, until a Multitude of People, chiefly *Germans*, armed with Sticks and Billets of Wood, excited and encouraged by *Nicholas Ryland*, the Coroner, began to beat and drive away all the People from about the Court-house, whereupon the Remonstrant, with *Patrick Watson*, Esq: one of the Justices, went out to pacify them, and used their Endeavours, but in vain; for they were both struck by the People, and with Difficulty escaped back into the House; and then the Remonstrant suspended taking the Poll, in Hopes, the Tumult would subside, but the People grew more outrageous, broke the Windows, and throwing in Stones and Brickbats, he, with four of the Inspectors, were obliged to quit the House through a back Window; whereupon the Rioters took Possession of the Court-house, and the Box with the Ballots. That about a Quarter of an Hour after, this Remonstrant returned to the Court-house, in order to go on with the Election, but was refused Admittance, the Coroner, with the three remaining Inspectors, having assumed to continue the Poll, and, being supported by the outrageous Multitude, kept possession of the Box, whereby the Remonstrant was disabled from making a regular Return.

The Sheriff also delivered several Depositions in Confirmation of the Facts set forth in his Remonstrance, which were likewise read, and *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Remonstrance of the Sheriff of *York* County was again read.

And the said Sheriff attending, was called in, and examined concerning the Facts set forth in his said Remonstrance; and it appearing that a Paper had been drawn up and signed by him, and six Freeholders, as a Return of Representatives for the said County, he was required to lay the same before the House, which he did accordingly; withal informing the House, that he did not deliver it as a regular Return, it being grounded on the Depositions of other Persons present at the opening his Box of Ballots, and reading them off: and not on his own Knowledge.

And the said Sheriff, being ordered to give Notice to *Samuel Reynolds* (one of the Persons on whose Evidence he had been induced to sign the said Return) to attend the House, withdrew.

Then the House adjourned to Three o'Clock, *P. M.*

Samuel Reynolds attending, was called in, and examined, touching his Knowledge of the Proceedings at the late Election for *York* County, and declared, that the Box which the Sheriff had left locked up when he was driven out of the Court-house, being at the Conclusion of the Election carried to a Tavern by the Coroner, and others, he went to to see how they would deal with it; that they got a Key and opened it, and read, and took Account of the Tickets it contained; and that he took particular Notice of the Tallies, and observed that *John Wright* and *John Withero* had a considerable Majority of Votes in those Tickets, as Representatives for the said County.

And the said *Reynolds* being withdrawn, the House, after some Debate,

Resolved, That the Return of Representatives, signed by the Sheriff and Six Freeholders of *York* County, be accepted.

And the Names of *John Wright* and *John Withero* were accordingly inserted in the List of Members of this Assembly.

The Governor's Message was again read, and referred to further Consideration in the Morning.

Then the House adjourned to Nine o'Clock To-morrow Morning.

The Sheriff of *York* County attending, was called in, and admonished by the Speaker, that the House hath received the Return he delivered of Members for his County, and that he give Notice to them accordingly. That he take all the Care in his Power for the future to prevent any further Complaint of tumultuous Elections; that he be particularly careful to quiet the Minds of the People, by observing a discrete Conduct towards all Parties at his Return Home; and take the necessary Measures at the next Election to preserve the Peace. And that he acquaint the other Candidate, and the Freemen, that if any think themselves aggrieved by the Acceptance of this Return of Representatives, they may apply to the House at the next Sitting, and they shall be heard.

Then the Sheriff withdrew.

The Committee of Accounts made their Report on *Conrad Weiser's* Account, in Writing, which was read, and follows in these Words, *viz.*

HAVING examined the Account of Damages done by the *Indians* on their Return Home from the last Treaty, we are of Opinion, that the Sum of *Twenty-three Pounds, Sixteen Shillings* should be allowed to the following Persons *viz.*

	£	s	d
To *Samuel Hunter*, for Damages done to the Corn-fields of the Widow *Chambers*, of *Pextang*, now his Wife,	5	0	0
To *James Galbreath*, for the like Damages,	2	10	0
To *Patrick Homes*, for the like,	2	10	0
To *Moses White*, for a Sheep killed by their Dogs,	0	12	0
To *Widow Moraw*, for 5 Sheep killed by Ditto,	2	0	0
To *David Lewis*, for 3 Ditto,	1	4	0
To *Conrad Weiser*, for Damages done to his Orchard, Garden, Plantation, *&c.* both in their coming and returning, and by the sick *Indians*, who stayed at his House during the Time of the Treaty,	10	0	0
	£23	16	0
We also find there is due to *John Harris*, for Entertainment of the *Indians* on their coming hither,	4	18	11
And to *Conrad Weiser*, for his attending the *Indians* until they passed through the Province on their Return,	10	0	0
	£38	14	11

And it likewise appears to us, that the Proprietaries Agents having consented to pay *One Hundred Pounds* towards discharging the Expences on the *Indians* at the last Treaty, that Sum hath been laid out in Goods purchased and sent as a Present to the *Twightwees*, pursuant to the Resolution of the House last Year. And when these Sums are paid, all the Demands of *Conrad Weiser*, on Account of *Indian* Affairs, will be discharged to this Time.

Submitted to the House by

ISRAEL PEMBERTON, JOSEPH FOX,
EDWARD WARNER, MAHLON KIRKBRIDE,
JOHN SMITH, THOMAS CUMMINGS,
EVAN MORGAN, JAMES WEBB."

And the House agreeing to the Report,

Ordered, That an Order on the Treasurer be drawn, payable to *Conrad Weiser*, for the Sum of £38 14 11; and that he pay to the several other Persons mentioned in the Report, what is respectively due to them.

And the Order was drawn, and signed by the Speaker accordingly.

Then the Governor's Message, and the Papers accompanying it, were again read.

Conrad Weiser, Esq; Provincial Interpreter, attending was called in, and several Questions asked him concerning *Indian* Affairs, which he answered to the Satisfaction of the House. and then withdrew.

And after some Time spent in the Consideration of the Governor's Message, the farther Consideration thereof was referred to the Afternoon.

Tthe (The) House adjourned to Three o'Clock, *P. M.*

A Petition from the Commissioners of *Cumberland* County, appointed with the Commissioners of *York* County to run the Division Line between the said Counties; setting forth, that the *York* Commissioners refusing to run the Line, agreeable to the Act of Assembly, the Petitioners conceived it their Duty to do it themselves, and accordingly began opposite to the Mouth of *Swahatara*, on *Sasquehannah* River, and then took the Courses and Distances along the highest Ridge of the Mountain, without crossing any running Water, till they struck the Middle of the main Body of the *South Mountain*, at *James Caruther's* Plantation; a true Draught whereof is annexed to the Petition. That the Draught of the Line, and Places adjacent, laid before the House by the *York* Com-

missioners, as far as relates to the Waters, and Courses, is altogether imaginary, and grounded on no actual Survey; those Commissioners having no Surveyor with them, nor so much as attempting to chain any Part of it: That the Petitioners would willingly agree to the Proposal of making *Yellow Breeches* Creek the Boundary, if that Draught had any Truth in it; but as it is altogether false, and the making that Creek the Line would actually cut off a great Part of the *North-valley*, reduce it to a Point on *Sasquehannah*, and make the County quite irregular; the Petitioner pray, that the Line in the Draught to their Petition annexed may be confirmed, or a straight Line granted from the Mouth of *Swahatara*, to the Middle of the *South Mountain;* was presented to the House and read, and *Ordered to lie on the Table.*

The Governor's Message was again read, and considered.

Ordered, That *Israel Pemberton*, *Joseph Fox*, *Abraham Chapman*, *George Ashbridge*, *James Wright* and *Harmanus Alricks* be a Committee to prepare a Draught of an Answer to the Governor's Message, and report the same to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from *Ebenezer Tomlinson*, setting forth, that he hath made frequent Application to the Trustees of the Loan-Office, requesting that they would dispose of a certain Messuage, and Lot of Land, mortgaged to them, in which he is interested in Right of his Wife; but without Effect: That he is about to leave the Province, and desirous to adjust his Affairs before his Departure, which he cannot accomplish unless the said Messuage and Lot are disposed of; and therefore praying that the House would enquire into the Premises, and grant him such Relief as to their Wisdom shall seem meet; was presented to the House and read, and *Ordered to lie on the Table.*

Maurice Turner and *Ralph Killgore*, two Servants of an *Indian* Trader, who had lately escaped from the *French*, attending the House, were called in and examined, touching the Manner of their being taken Prisoners by the *French Indians*, the Place they were carred to, the Treatment they received from the *French*, the Preparations making among them for a War on our *Indians*, and other Particulars relating to *Indian* Affairs, and the State of the Frontiers; and having answered such Questions as the House thought fit to ask them, they withdrew.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the

House, which was read, and considered, and after some Amendments ordered to be transcribed, that it may be sent up to the Governor.

The Petition of the Commissioners of *Cumberland* County relating to the Line, was again read, and referred to further Consideration at the next Sitting.

Then the House adjourned to Three o'Clock, *P. M.*

The Answer to the Governor's Message being transcribed, was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

A S the Prosperity of the Trade of the Province, and the Peace and Safety of our remote Inhabitants, are essentially concerned in preserving the *Indians* in our Alliance steady in their Friendship with us: the House hath deliberately and maturely considered the Governor's Message, with the several Letters and Papers he was pleased to send with it; and having examined our Province Interpreter, and likewise the two Persons, who have lately escaped from their Imprisonment among the *French*, we do now with Gratitude acknowledge the Regard and Attention to the Interest of the Province manifested by the Governor on this Occasion.

We are heartily concerned that the Industry of the *French* hat met with so much Success with the *Indians* of the *Six Nations*, and we doubt not they will carefully improve this Opportunity (given by the Death of *Canassatego*, and the other Chiefs, who were our steady Friends) of using many Artificies to alienate the Affections of these Nations from us, and engage them more closely to the *French* Interest than they have heretofore been able to do; so that we are sensible there is a Necessity of speedy Measures being immediately taken to avert the unhappy Consequences of losing their Affection and Friendship; and we hope the Care the Governor has taken to inform the Governors of the neighbouring Colonies of the present Disposition of these *Indians*, will be duly regarded. This Province made them a large and valuable Present last Year: and as the Situation and Trade of *New-York* particularly demands their steady Attention to the maintaining the Alliance and Friendship of these Nations, we doubt not they will think themselves obliged to take the proper Care on this Occasion: And we believing it may be proper to send them a Message of Condolence on the Death of their Sachems, are willing to made the necessary Provision, if the Governor should concur

with us, in directing *Conrad Wesier* to attend the next Treaty at *Albany*, with such a Message.

The several Nations of *Indians* about *Ohio* appear to us at this Time most immediately to merit and stand in need of our Assistance; and as the Governor has informed us, that the Messengers appointed to carry the Present provided by the last Assembly for the *Twightwees*, are not yet set out on their Journey, we have now concluded to make an Addition to that Present, and likewise to direct a Present of larger Value to be provided for the *Shawanese*, *Delawares*, *Ouendaets* and other Nations settled near them, in order to confirm them in their Friendship with us; and as we are informed there are considerable Numbers of those People, who are not united in any Government, or under any Sachems, which renders it difficult to transact Affairs and treat with them, on any Emergency, we submit to the Governor's Consideration the Expediency of recommending to them the Advantage of such an Union; which if it can be effected and maintained without interfering with their Engagements with the *Six Nations*, may probably discourage the *French* from any Attempts against them, and afford us a greater Opportunity of improving the good Disposition they have lately manifested towards us, of keeping them steadily attached to the *British* Nation.

The Expences arising on these Negotiations having increased much of late Years, and being likely to continue, our Duty to the Freemen of this Province, obliges us to repeat the Request made by the Assembly last Year to the Governor, to recommend to the Proprietaries the Justice of their joining with us on these Occasions. The Benefits they reap from the Settlement of their back Lands are very great, and tend peculiarly to the Advancement of their private Properties, besides what they have in the common Prosperity of the Province, and the Increase of a Trade, which enables us to make Remittances directly to *Great-Britain;* that if there were not any other Considerations, these will, we hope, be sufficient to induce the Proprietaries to bear a Part of these Expences; and as we shall now contribute as much as the present State of our Treasury will permit, we hope, on the Governor's Intercession, the Proprietaries will readily consent to direct a proper Addition to be made thereto.

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Edward Warner* and *Joseph Trotter* wait upon the Governor with the same.

A small Account from *James Claxton*, Innholder, for Expences of *Maurice Turner* and *Ralph Killgore*, was laid before the House, and referred to the Committee of Accounts.

It is also referred to the same Committee, to consider whether it may be proper to make the said *Turner* and *Killgore* some Allowance, in Consideration of their Sufferings among the *French*, and the Informations they have given.

The Gentlemen appointed to wait on the Governor with the Message of the House, return, and report, that they delivered the same according to Order.

Resolved, That *One Hundred Pounds* be allowed as a Present of Condolence to the *Six Nations*, on the Death of *Canassatego*, and some others of their Chiefs.

Resolved, That *One Hundred Pounds* more be given to the *Twightwees;* and *Five Hundred Pounds* to the other Nations at *Ohio;* to be laid out by the Treasurer, in the Purchase of suitable Goods, and sent them as soon as possible.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee of Accounts report it as their Opinion, That *Ten Pounds* be given to *Maurice Turner* and *Ralph Killgore*, and that they discharge *James Claxton's* Account; to which the House agreed: And an Order was drawn on the Treasurer, and signed by the Speaker accordingly.

A Petition from *James Read*, Prothonotary of the Supreme Court, setting forth, that the Records and Papers of the said Court, are removed from his House into an Office in one of the Wings of the State-house; and praying that a Quantity of Firewood may be ordered for the Use of the said Office; was presented to the House and read, and *Ordered to lie on the Table.*

Ordered, That *Hugh Evans* and *William Clymer* wait on the Governor, and acquaint him, that the House is inclined to adjourn this Day, to the first *Second-day* of the Week in the next Eleventh Month, if he hath no Objection to that Time.

Ordered, That the Committee of Accounts inspect the Accounts of the late Collector of Excise for the County of *Philadelphia*, and report thereon to the House at the next Sitting.

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same according to Order; and that the Governor was pleased to say, he had no Objections to the proposed Time of Adjournment.

The Governor, by his Secretary, sent down a verbal Message to the House, *viz.*

GENTLEMEN,

"I Have considered your Message of Yesterday, and am well pleased to find your Determinations so agreeable to what I really think the Interest of the Province at this Time requires: And I shall in the several Particulars recommended by you, act conformably to your Advice and Request. The Business of my other Government requiring my Presence at Newcastle immediately, I shall appoint a Committee of the Council to act for me during my Absence, in *Indian* Affairs, in order that all possible Dispatch may be given to that Service."

The House adjourned to the first *Second-day* of the Week in the next 11th Month.

THE following Members met, *viz.* the SPEAKER, *Edward Warner, Joseph Trotter, Hugh Evans, Israel Pemberton, Evan Morgan, John Smith, Joseph Fox, William Clymer, Garrat Vansant, Joseph Gibbons, George Ashbridge, Henry Hockley, Nathaniel Grubb, Peter Dicks, Joseph Armstrong, Calvin Cooper, John Witherow, James Webb, John Wright* and *James Wright.*

And adjourned to Three o'Clock To-morrow, in the Afternoon.

The above Members met again, with *Owen Evans* and *Joseph Hamton;* and being now a Quorum.

Ordered, That *Israel Pemberton* and *Joseph Fox,* wait upon the Governor and acquaint him, that by the Extremity of the Weather, and the Indisposition of some of the Members, a full House did not meet Yesterday, pursuant to the Adjournment; but that a Majority then appeared, and that there is now a Quorum, to proceed on Business, and ready to receive any thing the Governor may have to lay before them.

The Gentlemen return, and report, that they waited on the Governor, and delivered the Message according to Order; and that the Governor was pleased to say, he would on this Occasion send a Message in Writing to the House To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

John Wright and *John Witherow*, returned Representatives for the County of *York*, took and subscribed the Qualifications by Law required to be taken by Members of this House, and then took their Seats in the House accordingly.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That *Israel Pemberton*, *Joseph Fox*, *Joseph Trotter*, *Richard Walker*, *Joseph Gibbons*, *James Webb*, *John Wright* and *Joseph Armstrong*, be a Committee to inspect the Minutes of the last Year, and report what Matters they find unfinished, or referred to the Consideration of this Assembly.

Then the House adjourned to Nine o'Clock To-morrow Morning.

The Governor, by a Member of the Council, sent down a verbal Message to the House, *viz.*

The Governor desires the Attendance of the Members of Assembly immediately in the Council Chamber.

And the House taking the same into Consideration, after some Time,

Ordered, That *Owen Evans*, *Israel Pemberton*, *Joseph Fox*, *George Ashbridge*, *Griffith Owen*, *James Wright*, *John Witherow* and *Joseph Armstrong* wait upon the Governor with the following Message, *viz.* "That the House apprehending there is a material Difference between the Message from the Governor delivered this Morning, and the Governor's Answer to the Message from this House of the 8th Instant; to prevent all Misunderstanding, they request the Governor would be pleased to communicate all the Contents of his Message to the House in Writing."

The Gentlemen return, and report, that they waited on the Governor, and delivered the Message according to Order.

The Committee appointed to inspect the Minutes of the last Year, made their Report in Writing, which was read, and is as follows, *viz.*

HAVING examined the Minutes of the Assembly of the last Year, we find that the following Bills and Petitions were recommended to the Consideration of the ensuing Assembly, *viz.*

The Bill for regulating the Probate of Wills within this Province.

The Bill for regulating the Nightly Watch within the City of *Philadelphia.*

The Petition of sundry Inhabitants of the County of *Philadelphia*, complaining of the great Increase of Publick Houses, *&c.*

The Petition of the Inhabitants of the County of *Lancaster*, concerning a Work-house, *&c.*

The Petition of sundry Inhabitants of the County of *Philadelphia*, concerning Ferries.

JOSEPH TROTER,	JOSEPH GIBBONS,
JOSEPH FOX,	JAMES WEBB,
ISRAEL PEMBERTON, jun.,	JOHN WRIGHT,
RICHARD WALKER,	JOSEPH ARMSTRONG."

A Message from the Governor was delivered by one of the Council, desiring a Copy of the Message of the House in Writing.

And the Member of Council being desired to withdraw, the House agreed to send up a Copy of their Message in Writing: And the Member of Council being again called in, a copy of the same was accordingly delivered to him, signed by the Speaker.

Then the Governor sent down a Copy of his verbal Message by a Member of Council, which is as follows, *viz.*

The Governor desires the Attendance of the Members of Assembly in the Council Chamber immediately.

The House taking into Consideration the Governor's Message, appointed a considerable Number of their Members, *viz. Israel Pemberton, Edward Warner, Joseph Fox, William Clymer, Joseph Hamton, Griffith Owen, George Ashbridge, Henry Hockley, James Wright, James Webb, Joseph Armstrong* and *John Wright*, to wait on the Governor in Pursuance of his Request, to receive what he may have to lay before the House.

Ordered, That the following absent Members be sent for to attend the Service of the House, *viz. Mahlon Kirkbride, John Woolston, John Hall, Abraham Chapman, Thomas Cummings, Thomas Chandler, Nathaniel Pennock, Arthur Patterson* and *Hermanus Alrichs.*

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed this Morning to wait on the Governor, report, that they went to the Council Chamber, and found that the Governor was gone; that they therefore waited on the Governor at his House, who was pleased to say to them as follows, *viz.*

"I Expected, in Compliance with my Message to the Members of Assembly met together in the Assembly Room this Morning, the Attendance of all such as were then present. I cannot look upon you, *Gentlemen*, as a Committee of Assembly of this Province, because in my Opinion no such House is now sitting, by Reason of the Members failing to meet according to Adjournment: neither can such House now sit unless legally convened by my Authority; and therefore I cannot receive any Message from you as a Committee of a House of Assembly."

And the House taking the same into Consideration, spent some Time therein: and then referred the farther Consideration thereof till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House resumed the Consideration of the Report of the Members that waited on the Governor; and the Royal Charter, with several other Charters, Laws and original Minutes, relating to the Privileges and Powers of Assemblies of this Province, being read and considered,

Ordered, That *Israel Pemberton*, *John Smith*, *Joseph Fox*, *Joseph Hamton*, *George Ashbridge*, *James Wright* and *John Wright* be a Committee more fully and carefully to examine the Charters and Laws of the Province and also the Votes and Proceedings of former Assemblies, for all such Passages and Minutes as relate to the Privileges of the House, and the Proceedings of former Governors and Assemblies on any Failure of the Meeting of the Members, either upon their own Adjournments, or when called by the Governor's Writs; that the House may judge what is fitting to be done on the present Occasion.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to inspect the Charters and Proceedings of Assemblies, report, that they have made some Progress therein, and desire further Time to compleat the same, which was allowed by the House.

Abraham Chapman, a Member from *Bucks* County, appeared in the House.

Then the House adjourned to next *Second-day*, at Three in the Afternoon.

The House met according to Adjournment, and *Nathaniel Pennock*, *Thomas Chandler*, *Thomas Cummings*, *Mahlon Kirk-*

bride and *Hermanus Alrichs* appeared in the House, according to Order.

Thomas Chandler and *Nathaniel Pennock* took and subscribed the Qualification by Law required of Members of Assembly, and then took their Seats in the House accordingly.

The Committee appointed to inspect the Charters, Laws and Votes of Assemblies, *&c.* relating to the Privileges of the House, made their Report thereupon in Writing, which was read, and considered, and follows in these Words, *viz.*

WE have carefully examined, as fully as the Time would permit, all the Charters and Laws of this Province, and also all the Votes and Proceedings of Assemblies before and since the Granting our present Charter, which any ways materially relate to the Privileges of this House, and to the Proceedings of former Governors and Assemblies on Failure of the Meeting of a sufficient Number of Representatives to proceed to the Business of the Province, either upon their own Adjournments, or when called together by the Governor's Writs; all which we lay before the House in Obedience to their Order.

We find that the Royal Charter granted by King CHARLES the Second, makes and ordains WILLIAM PENN, Esq; his Heirs and Assigns, true and absolute Proprietaries of all the Lands and Dominions within the Province of *Pennsylvania;* and among other great Powers and Authorities, grants, "Free, full and absolute Power to him and his Heirs, to his and their Deputies and Lieutenants, for the good and happy Government of the said Country, to ordain, make and enact, and under his and their Seals, to publish any Laws whatsoever, for the raising of Money for publick Uses of the said Province, or for any other End appertaining either unto the Publick State, Peace or Safety of the said Country, or unto the private Utility of particular Persons, according unto their best Discretion, by and with the Advice, Assent and Approbation of the Freemen of the said Country, or the greater Part of them, or of their Delegates or Deputies; whom for the Enacting the said Laws when and as often as Need shall require, [the said Charter wills] that the said *William Penn* and his Heirs, shall assemble in such Sort and Form, as to him and them shall seem best, and the same Laws duly to execute unto and upon all People within the said Country and Limits thereof."

In Pursuance of the Powers vested in the Proprietor by this Charter, we find, that on the 25th Day of *April*, 1682,

he granted to the Freemen of this Province, with many other large Privileges and Immunities, "That the Provincial Council [at that Time Part of the Legislature] in all Cases and Matters of Moment, as their arguing upon Bills to be past into Laws, erecting Courts of Justice, giving Judgment upon Criminals impeached, and Choice of Officers, not less than two Thirds of the whole Provincial Council, shall make a Quorum, and that the Consent and Approbation of two Thirds of such a Quorum shall be had in all such Cases and Matters of Moment."

And moreover, "That in all Cases and Matters of lesser Moment, Twenty-four Members of the said Provincial Council [which was one Third Part of the Whole] shall make a Quorum, the Majority of which Twenty-four, shall and may always determine in such Cases of lesser Moment."

In the Act of Settlement made at *Chester* in the same Year 1682, when it was found necessary to reduce the Numbers both of the Provincial Council and Assembly we find the like Provision with Regard to Matters of greater and lesser Moment in these Words, "That the Numbers desired by the Inhabitants in their several Petitions, and expressed to be their Desires by the Sheriffs Returns to the Proprietary and Governor, to serve as the Provincial Council, and General Assembly, be allowed and taken, to all Intents and Purposes to be the Provincial Council, and General Assembly of this Province; and that the Quorum shall be proportionably settled, according to the Method expressed in the fifth Article [of the aforesaid Frame of Government] that is to say, two Thirds to make a Quorum in extraordinary Cases, and one Third in ordinary Cases, as is provided in the said fifth Article.'

The Frame of Government, dated the second Day of the 2*d Month*, 1683, among other Privileges granted to the Provincial Council and Assembly, recites, ——— that 'to the End that all Bills prepared and agreed by the Governor, and Provincial Council, may yet have the more full Concurrence of the Freemen of the Province, and Territories thereof, it is declared, granted and confirmed, that at the Time and Place in every County for the Choice of one Person to serve in Provincial Council, the respective Members thereof at their said Meeting, shall yearly choose out of themselves six Persons of most Note for Wisdom, Virtue and Ability, to serve in Assembly as their Representatives, who shall yearly meet on the 10th Day of the 3*d Month* in the Capital Town or City of the said Province; unless the Governor, and Provincial Council shall think fit to appoint another Place to meet in;

where during eight Days the several Members may confer freely with one another; and if any of them see meet, with a Committee of the Provincial Council, which shall be at the Time purposely appointed to receive from any of them, Proposals for the Alteration or Amendment of any of the said Proposed, and promulgated Bills; and on the ninth Day from their so meeting, the said Assembly after their reading over of the proposed Bills by the Clerk of the Provincial Council, and the Occasions and Motives for them being opened by the Governor or his Deputy, shall, upon the Question by him put, give their Affirmative or Negative, which to them seemeth best, in such Manner as is hereafter exprest,' [that is, in Things personal by Ballot, and in all Things relating to the preparing and passing of Bills into Laws openly by Vote] But not less than two Thirds shall make a Quorum in the passing of all Bills into Laws, and Choice of such Officers as are by them to be chosen.'

Your Committee have transcribed this whole Paragraph, because it is the first of our Charters wherein the Distinction between the Powers of Assembly in Matters of greater and lesser Moment is omitted, though without any negative Words, and plainly implied in the Paragraph itself, and fully cleared up in the next Frame of Government made and passed by *William Markham*, Esq; then Lieutenant Governor under the Proprietor, upon his being restored to the Government of this his Province, in the Year 1696, in which the Distinction of the Frame of Government, and Act of Settlement both past in the Year 1682, with regard to the Council, is restored in these Words:

'And be it enacted, *&c.* That the Council in all Cases, and Matters of Moment, as about erecting Courts of Justice, sitting in Judgment upon Persons impeached, and upon Bills and other Matters that may be from Time to Time presented to the Assembly, not less than two Thirds shall make a Quorum; and that the Consent and Approbation of the Majority of that Quorum shall be had in all such Cases and Matters of Moment: And that in Cases of lesser Moment, not less than one Third shall make a Quorum, the Majority of which shall, and may always determine in all such Cases of lesser Moment; and in Case the Governor's Power shall hereafter happen to be in the Council, a President shall be then chosen out of themselves by two Thirds, or the major Part of them; which President shall therein preside.'

And the Assembly, (whose Powers by this Charter were materially altered) were thereby impowered and authorized

to prepare Bills, and propose them to the Council in the following Words, *viz.* 'And be it enacted, *&c.* That the Representatives of the Freemen, when met in Assembly, shall have Power to prepare, and propose to the Governor and Council, all such Bills as they, or the major Part of them, shall at any Time see needful to be past into Laws, within the said Province, and Territories: Provided always, that nothing herein contained shall debar the Governor and Council, from recommending to the Assembly all such Bills as they shall think fit to be past into Laws; and that the Council and Assembly may, upon Occasion, confer together in Committees, when desired: All which said proposed and prepared Bills, or such of them as the Governor, with the Advice of the Council, shall, in open Assembly, declare his Assent unto, shall be the Laws of this Province, *&c.* ——— And be it further enacted, 'That the Assembly shall sit upon their own Adjournments, and Committees, and continue in order to prepare and propose Bills, redress Grievances, and impeach Criminals, or such Persons as they shall think fit to be there impeached, until the Governor and Council for the Time being shall dismiss them; which Assembly shall, notwithstanding such Dismiss, be capable of assembling together, upon Summons of the Governor and Council, at any Time during that Year, two Thirds of which Assembly, *in all Cases*, shall make a Quorum.'

As in this last Paragraph two Thirds are mentioned as a Quorum of Assembly *in all Cases* when called by the Governor's Writs, without any negative Words; it is remarkably explained by the Conduct of succeeding Governors, and the Proprietor himself, when the Assemblies failed of making a Quorum.

In the Minutes for the Year 1698, during Governor *Markham's* Administration, we find, 'that *Edward Shippen* and *William Biles*, two Members of Council, being sent 'from the Governor, reported, that there was not a sufficient Number of Council as yet come in, and therefore desired our Appearance To-morrow Morning at Nine o'clock. At which Time the Representatives of Assembly Met. ———— Two Members of Council came with a Message from the Governor, that he was ready to receive us, in order for our Qualification; we making our Appearance accordingly, and being qualified, the Governor returned us to our House to choose a Speaker.

In the Minutes for the Year 1699, are these Words, '*David Lloyd* and *John Hill*, two Members of Council, informed

the House, that they were now a full Council, and were ready to receive the Assembly.' *Anthony Morris* and *James Fox* being requested by the Members of Assembly now met, went to the Governor and Council to acquaint them, that they were not a full House, and to desire that the absent Members might be sent for. Whereupon the Governor ordered that all the Members present should come into Council, in order to be qualified: Upon which the Members went in a full Body to the Governor, and were qualified; after which they returned to the House, and agreed to meet together Tomorrow Morning about Ten o'Clock.

In the Year 1700, when the Proprietor himself was our Governor, we find the Minutes of that Year begin with these Words, *viz.* 'At an Assembly held in *Philadelphia*, the tenth Day of the 3*d Month*, 1700, several of the Members appearing, but not being a full House, it was concluded to meet again on the twelfth Instant.

'3*d Month* 12, 1700. The Members of the House being met and qualified, proceeded to choose their Speaker; and *John Blunston* being by the Majority of Votes chosen Speaker, was desired to take the Chair, which he did accordingly. —— Two Members of Council were sent from the Governor and Council to inform this House, that if the House had any Thing to propose, they were ready to receive it; whereupon the House repaired to the Council Room, and presented their Speaker, who was approved of by the Governor.

In the Year 1701, when the Proprietor and Governor was yet in the Province, we have upon our Minutes a particular Instance of the Proprietor's Conduct towards that Assembly upon their being unable to make a Quorum, when called together by his Writs: The Words are: 'At an Assembly held at *Philadelphia*, the first Day of the 6*th Month*, 1701, the Members of the House being called over, there appeared, *viz. Joseph Growdon*, Speaker, *&c.* —— There appearing but twelve Members this Day, they all attended the Governor to know his Pleasure in calling this Assembly; who answered, that he would rather choose to defer the Business 'till there was a greater Number; whereupon the Assembly adjourned 'till Nine o'Clock To-morrow Morning.'

'6*th Month* 2. The Assembly met, the abovesaid Members all appeared, and six other Members, *which making a full House*, they attended the Governor, to know his further pleasure; whereupon the Governor acquainted the House the Occasion of calling them at this Time.'

The 23*d*, 24th and 25th of *September*, 1701, we find several very remarkable Minutes relating to the Meeting of a Majority of Members of Assembly on their own Adjournments, *viz.* '*September* 23, The House met, *&c.* There being a Quorum, —— adjourned till Nine o'Clock in the Morning, —— 24th, the House met, the Speaker assuming the Chair, and the House being called over, nine of the Members being absent, and the Provincial Court sitting this Day, where one of the Members was obliged to be; 'it being the Time of the yearly Meeting, and not a full House, it was ordered that the House be adjourned till Nine o'Clock Tomorrow Morning.'

'*September* 25. The House met, *viz.* the Majority; it was proposed, whether the King's Letter be considered, or whether the House send to the Governor to know his Answer to the Address? —— Agreed on, that the Letter should be read, and debated, which was done accordingly; —— adjourned till Three o'Clock in the Afternoon. —— At which Time the Speaker assumed the Chair, and the House being called over, the major Part appeared; *Ordered*, that *A. M.* and *T. B.* wait on the Governor to request his Answer to the Address, and to desire a List of the Laws sent to *England*, for the King's Approbation; who return and say, they have done their Message, and that the Governor answered, that they had the Business in Debate, but desired a Conference with the whole House in the Morning at Eight o'Clock, when they should have a more particular Answer: That the Laws were marked, and they would look for them: when found, they should be given in.' —— 'Two Members of Council came from the Governor, and desire the Address of the Inhabitants.' —— 'Put to the Vote, whether a Copy thereof be sent to the Governor? ——Then the two Members of Council being again called into the House, were told, that the Governor should have a Copy of the said Address this Night or in the Morning. —— Adjourned till Eight o'Clock To-morrow Morning. —— 29*th*. The House met, and all appeared, *&c.*

In the same Year 1701, on the tenth Day of *October*, *P. M.* among other Minutes are these following, *viz.* 'The Vote being put, whether the Bill for Confirmation of Laws should pass into a Law? —— several Members rose up and left the House (*viz.* nine) and the Vote was immediately carried in the Affirmative by the remaining Members, being fourteen in Number, N. C. D. —— Adjourned till Nine o'clock To-morrow Morning. *October* 11. The House met, and —— all appeared, except some of the Lower County Members not

yet returned.' —— Then several Bills were read, and likewise our present Charter of Privileges. —— *Ordered*, that *J. B.* and *S. R.* wait on the Governor, and acquaint him with the Members leaving the House, who return and say, that the Governor's Answer was, *'They might proceed to Business notwithstanding.'*

We apprehend there can be no Occasion to multiply Instances of the Powers, agreed by the Proprietor to be vested in the Meeting of a Majority of the Representatives after this his full Declaration to that very Assembly, who at that Time, had under their Consideration, and in a few Days after accepted of our present Charter. Only, we may observe, that notwithstanding the aforesaid Lower County Members sometimes took their Seats in the House, and at other Times absented themselves, *for fear of being over-voted;* yet the Business of the Province, whether they were present or absent, went forward; and at length the Proprietor, Assembly and Members of the Lower Counties, without the least Objection, unanimously concur in passing those Laws, and accepting our present Charter.

We should here rest our Enquiries previous to the Charter, but for a very material and short Minute of the Twenty-second of *October*, this Year, *viz.* 'The House met, *&c.* —— *and there being a Majority*, it was proposed to go to the Governor, in order to know his Pleasure in respect to the Conference by him proposed. —— Adjourned till Nine o'Clock To-morrow Morning. —— *October* 23. The House met *&c.* *Ordered*, that *A. M.* wait on the Governor with the Charter of Privileges, and acquaint him that the House have considered it, and approve of it, as it now is, and desire it may be engrossed.'

We now come to our present Charter, the second Section whereof grants, that, 'For the well-governing of this Province and Territories, there shall be an Assembly yearly chosen by the Freemen thereof, to consist of four Persons out of each County [this was agreeable to the Frame of Government, 1696] (or of a greater Number, at any Time as the Governor and Assembly shall agree) upon the first Day of *October*, forever; and shall sit on the fourteenth Day of the same Month. Which Assembly shall have Power to choose a Speaker, and other their Officers, and shall be Judges of the Qualifications and Elections of their own Members, sit upon their own Adjournments, appoint committees, prepare Bills, in order to pass into Laws, impeach Criminals, and redress Grievances, and shall have all other Powers and Priv-

ileges of an Assembly, according to the Rights of the Freeborn Subjects of *England, and as is usual in any of the King's Plantations in* America.'

'And if any County or Counties shall refuse or neglect to choose their respective Representatives as aforesaid, or if chosen do not meet to serve in Assembly; those who are so chosen, and met, shall have the full Power of an Assembly, in as ample Manner, as if all the Representatives had been chosen: Provided they are not less than two Thirds of the whole Number that ought to meet.'

We are now to enquire what Judgement the Governors and Assembly formed upon this Section of our present Charter, in regard to the *Power of a Majority of Assembly to adjourn when met*, either upon their own Adjournments or when called together by the Governor's Writs; in order to which, we have searched our Minutes, and find the following, *viz.* '*6th Month* 16, 1704. The House met according to the last Adjournment, but in regard some of the Country Members were absent by Reason of the Violence of the Weather, and the Matters before the House being of Moment, the House adjourned till To-morrow, at Two o'Clock in the Afternoon. *6th Month* 17. The House met, and the Members being called over, a Quorum appeared.' —— Upon which Governor *Evans* joined with the House, without the least objection [that we can find] for Want of a Quorum upon their first Meeting.

This is the only Instance we meet upon our Journals, where the Assembly failed to meet upon their Adjournment, till after Passing the Law, *Quarto Annae*, entituled, *An Act to ascertain the Number of Members of Assembly, and to regulate the Elections*. By which Law the two Members for the City of *Philadelphia*, and eight Members for each of the Counties (then erected) were confirmed, and the two Paragraphs relating to the Powers and Privileges of an Assembly, and the Provision in case any County should refuse to choose [as had been the Case of *Newcastle* County, in the Year 1699] were enacted in the very Words of the Charter. So that the same Powers continued, after the passing this Act, as were vested in the Representatives by the Proprietor's Charter.

We therefore proceed to lay before the House what we have met with, since the passing of that Law.

'*3d of the 12th Month*, 1706-7. The Governor having ordered the Sheriffs of the respective Counties of this Province, and the City of *Philadelphia*, 'to summon the Assembly

to meet this Day, the major Part of them met accordingly; but a competent Number to proceed upon Business not being present, those who were met, agreed to meet again at Nine o'clock To-morrow Morning.——12*th Month* the fourth, 1706-7. A Quorum appeared.——Divers of Members who now appeared, excused their Absence Yesterday, by reason they had no Notice of the Governor's Order, till the Evening before.—— The Governor being out of Town,——the House adjourned till Two o'clock this Afternoon.——*P. M.* The House met, and——a Quorum appeared.——The Secretary brought from the Governor an Account of a Visit formerly made by the Secretary and others to the *Indians*.——And also a Treaty (with the Charge thereof) between the Governor and the said *Indians* which was read, and ordered to be read again.—— The House proceeded in their Business.' After an Adjournment from the 15th to the 18th, *P. M.* there is a Minute in the following Words.——'12*th Month* 18, 1706-7. The major Part of the Members of Assembly met; but in regard a competent Number to proceed upon Business appeared not, the Members present agreed to meet again at Eight o'clock To-morrow Morning.——12*th Month* 19. The House met, and a Quorum appeared, and went on with their Business.'

'6*th Month* 2, 1708. The Governor having ordered the Sheriffs of the several Counties of this Province, and the City of *Philadelphia*, to summon the Representatives of the Freemen of the said Province to meet him in Assembly this Day: The major Part of the said Representatives met accordingly, but there not being a Quorum, the Members present agreed to meet again To-morrow Morning.——6*th Month* 3, 1708. The House met, and the Speaker assuming the Chair, the Members were called over, and a Quorum appeared. A Committee was appointed to wait on the Governor, and he the next Day joined with them in proceeding to Business, without any Objection to their not having a full House on the Day of the Return of his Writs.

'5*th Month* 26, 1709. The Governor having ordered the Sheriffs to summon the Representatives of the Freemen of the Province to meet him in Assembly, this Day divers of the said Representatives met accordingly; but not being a full House, the Members present agreed to meet again at Ten o'Clock To-morrow Morning.——5*th Month* 27, 1709. The House met, and a Quorum appeared.——*Ordered*, that *J. H.* and *A. B.* do wait on the Governor, and acquaint him, that the House is met, and ready to proceed to Business——They

returned, and acquainted the House, That the Governor was pleased to tell them, he has something to communicate to the House when he can get his Council together, which he intended this Afternoon. Adjourned till Three o'Clock, *P. M.*——*P. M.* The House met,' and the Governor recommended to them the publick Business, without any Objection on Account of their Failure at their first Meeting.——So again having adjourned themselves from the 30th *5th Month* to the 15th *6th Month*, when the House not being able to make a Quorum, 'Agreed to meet the next Morning,' when a Quorum appeared; and they proceeded to Business as before.——And again,——'*October* 31, 1709. Several of the Members or Assembly met; but there not appearing a full House, the Members present agreed to send *J. H.* and *J. R.* to inquire if the Governor be yet come to Town, who accordingly went to the Governor's Lodgings, and were informed, he is not come to Town, nor will be till the latter End of the week at soonest.——Whereupon the Members agreed to meet again To-morrow Morning——*November* 1. Divers Members met, and sent to inquire if the Governor is yet come from *Newcastle;* but the Members who went on the Message, reported, that they had been at the Governor's Lodgings, and were informed, he will not be in Town in a Week's Time, or more; whereupon the Members present, agreed to adjourn till the 14th Day of this Instant; and *P. T.* to acquaint the Governor therewith, if he comes to Town.'

November 14, 1709. Divers Members met, but there not being a full House, the Members present adjourned till To-morrow Morning. *November* 15. The House met, and [the Governor not being in Town] appointed a Committee, 'To confer with a Committee of the Council upon the Bill of Fees [who reported] that the Committee at the Conference had gone through the Bill of Fees, and settled them all, excepting the Fees belonging to the Collector and Naval-Officer, which they had agreed to wave till the next Sitting of the House. The Speaker acquainted the House, that when the Members of Assembly met on the first Day of *November* last, the Secretary brought a Petition to the Members who were present, desiring that Preparation may be made for his Trial upon the Impeachment of a former Assembly, which being read in the House, was ordered to be read again To-morrow Morning. *November* 16. The House having read and debated the said Petition, came to several Resolves, and among others, *That the Secretary do forthwith lay before this As-*

sembly, his particular Answer to every Charge contained in the Articles of Impeachment.' On the 18th, a Committee was appointed to confer again with the Committee of Council, to settle the Fees of the Collector and Naval Officer. On the 19th, the Committee appointed to confer with the Members of Council upon the Bill of Fees, reported, 'That the said Conference was begun Yesterday, but nothing proceeded on, saving in general, and endeavouring to settle the proper Articles, to be charged by the Collector and Naval-Officer; and agreed to meet the Council again this Morning, if the House thinks fit. *Resolved*, that the Members do sit again this Morning, with the Members of Council, upon the said Conference, and make Report on *Monday* next; and then adjourned to (the Day called) *Monday* next.' *November* 21, 1709. The House ordered a Copy of their Resolves relating to the Impeachment of the Secretary, to be delivered to him by one of their Members, 'with the Order thereupon; requiring the said Secretary's Compliance with the said Resolves without Delay.' Then the Committee appointed to join with the Members of Council about the Fees. 'Reported, that they had made some considerable Progress therein, and had settled those Fees unsettled by the former Committee in the Bill; which being read, was approved by the House.' *November* 22. The House ordered several of their Members to wait on the Governor, 'And deliver him a Copy of the Resolves of the House on the 16th Instant, concerning the Secretary's Petition, and also desire his speedy Answer thereunto.' And the Secretary brought a Paper to the House, which he called a Complaint, which was read. The Members appointed to wait on the Governor, reported, that they had delivered a Copy of the said Resolves,—and that the Governor was pleased to tell them, he will consider of their Message, and send an Answer to the House.' The House, in a Committee of the whole House, 'Came to a Resolution upon the Matters committed to them, and appointed two Members to give Notice to the Secretary to appear at Ten o'clock To-morrow Morning.' *November* 23. The Secretary appeared before a Committee of the whole House,——and after his Departure, the House resolved, 'that the Secretary be ordered to attend at the Bar of the House, at Four o'Clock, *P. M.*——*P. M.* The Secretary came to the House, and being admitted to the Bar, was infromed by the Speaker, that the House were come to three Resolutions concerning him, wherewithal the Speaker acquainted him particularly, and demanded his Answer to each

of them; whereupon he answered, that he would speak to the last Resolves first.'—and then went on with his Answers; in all which, the Secretary acknowledges, and frequently calls them a House. On the 24th of *November*, 'The House ordered two of their Members to wait upon the Governor, and desire to know his Answer to the Assembly's Resolves of the 16th Instant (all which Resolves related to the Impeachment of the Secretary) which were presented to him since he came to Town.——And to acquaint him that the Fees being settled by a Committee of Council and Assembly, and ready to be inserted in the Bill; the House desire to know whether the Governor will be willing at this Time, to pass that Bill, and Bill of Courts. They returned and reported, that the Governor was pleased to tell them, that he did not think fit to sit judicially upon the Trial of the Secretary, nor that he was safe so to do: And as to the Bills, he could say nothing to them till he saw them; but expected the *Assembly* would lay before him all such Bills as they desired should be past into Laws, and he would then consider them, and give his Answer to the *House;* and withal gave them Order to assure the *House*, that he would not protect the Secretary, but leave the *Assembly* to proceed against him as they think fit.' The House upon this Answer from the Governor, proceeded immediately to make several severe Resolves against the Secretary, and amongst the rest, that he should be taken to the County Goal.

Permit your Committee to observe, that this valuable Privilege of adjourning themselves whenever a Majority of the Representatives met, *either upon their own Adjournments*, or *when summoned by the Governor's Writs*, remained until this Time inviolated, unquestioned, and strengthened (if that can be) by the Decision of that great good Man, who first bestowed upon us that valuable Privilege of sitting upon our own Adjournments. But now we are entering upon a new Scene, where we find, that though it is acknowledged both in the Beginning and End of Governor *Gookin's* Administration yet occasionally he not only questioned, but denied it with great Heat and Resentment, as will soon appear.

On the 25th of *November*, 1709, the House addressed the Governor, laying before him their Resolves, and ordering the Sheriff of *Philadelphia* County (whom they appointed, by a Resolve of the House, their Officer for this Purpose) to take the Secretary to the County Goal, which he promised to obey.

The Secretary being thus warmly prosecuted by the House (arising in a great Measure from his extreme Attachment to the Proprietary Interest) and as earnestly protected, both by the present and the former Governor, as well as others in the Magistracy at this Time, Governor *Gookin* found himself necessitated either to suffer the Assembly to proceed in executing their rigorous Resolves, or else to question their Powers; and accordingly he chose to dispute their Right of Adjournment, when met together in a lesser Number than a Quorum of the Whole House, though he himself, as well as the Council and Secretary, had acknowledged their Powers ever since their failing to make a Quorum on the 31st of *October*, and the first and 14th of *November*, as we have already shewn.

November 26. The Sheriff, in the Execution of the Order of the House, being opposed by the Governor, and the Mayor of the City of *Philadelphia*, reported the same to the House; whereupon the Speaker acquainted him, that if the Governor thought fit to supersede the Warrant [issued by the Speaker] 'it must be by an Instrument in Writing; otherwise the House could take no Notoce of it, but would expect him to do his Duty; and he thereupon was ordered to withdraw. The Speaker acquainted the House, that he received a Paper last Night from the Governor, which contained some Account of what he had said to some Members of Assembly, about the Secretary's Trial, *&c.* which he had desired might be communicated to the Members, as Opportunity offered, and to the House at their next Meeting; *for that he could not consider the Assembly as a House, seeing they had dropt their own Adjournment.*'

'*November* 28. The Sheriff, being upon his Request admitted into the House declared, that he had received from the Governor, a *Supersedeas* to the Warrant signed by the Speaker, against the Secretary, under the Governor's Hand, and Seal of the Province, which he produced, and delivered to the Speaker; which being read in the House; and the Contents thereof considered and debated, the House came to [several] Resolutions thereupon, N. C. D. [amongst which the third Resolve is] *Resolved* that the Governor's Objection, that this Assembly is no House; because, as he says, they dropt their Adjournment, is of no Weight; because, if that should be granted, it is possible, that by Violence of Weather. Mortality or indisposition, it may often happen, as it hath done heretofore, that two Thirds of the whole Number cannot meet on the Day appointed; in which Cases the Constitution might

be in Danger of Dissolution, which would be an Absurdity not to be supposed. *Ordered*, that a Remonstrance be drawn to be sent to the Governor on this Occasion; as also to press him to pass such Bills, as will be ready to be sent him therewith, with what other Bills are before him. *Ordered*, that the Bill of Fees be regulated according to the Agreement of the Committees appointed by the Governor to settle the same.'

On the 29th and 30th, the House having met, and agreed upon a Remonstrance to the Governor, they ordered several of their Members 'to attend the Governor with the Remonstrance, and also to deliver him the Bill of Fees regulated as aforesaid.— They returned, and reported, that they could not meet with the Governor, though they diligently sought him. *Ordered*, that the same Members deliver it to the Governor in the Afternoon. *P. M.* The Members appointed to present the Remonstrance and Bill to the Governor, reported, that they had met with the Governor, at the House of *Charles Spencer*, to whom they delivered their Message, and also presented the said Remonstrance, with the two Bills, desiring his Concurrence thereunto; and that the Governor was pleased to tell them, that we are no Assembly; and would receive no Papers from them as Members of Assembly. —— That upon pressing him to receive the said Bills and Remonstrance, in Hopes, as they told him, that upon deliberate Consideration, he would see Cause to alter his Opinion and Resolution, he was pleased to tell them, *that he was a Stranger amongst us, and to our Constitution*, and therefore had taken the Advice of his Council; who had advised him, that we were no Assembly in their Judgment; which was the Reason that he would receive no Papers from them as Members of Assembly.' *December* 1. The House (after giving Orders 'for paying some Provincial Debts) considering the Governor had utterly refused to proceed with the Assembly in Legislation, or otherwise, agreed to adjourn.'— And having ordered two of their Members to acquaint the Governor therewith, they adjourned to the *Third Month* following.— After which we find no more Minutes of that Year.

Thus ended this first Attack upon the Privilege of the House, to adjourn with a less Number then a Quorum of the whole House. The Governor and Council being induced to it (as seems clear to us) by their Desire of protecting the Secretary: And this is more probable, as not only the Governor himself, but the Council and Secretary, had all acknowledged the *House* as such, since their failing to make a Quorum on the 31st of *October*, and the 1st and 14th of *November*, and

continued so to do until the 25th; on which Day the Speaker signed the Warrant to the Sheriff, to take the Secretary into Custody in the County Goal, as appears above.

We find by our Minutes of the 3*d Month* 20, 1712, that the House had adjourned to the 19th, on which Day there is no Minute. —— 3*d Month* 20, a Quorum appeared. —— The Governor desired their Attendance, and made a Speech to them, beginning with these Words, 'Gentlemen, I understand you failed last Night of making a House according to Adjournment; I am very sorry any Persons whom the Country has thought fit to represent them, should be so ungrateful to their Electors, who thought them worthy of that Trust, as to slight or neglect the Service. I understand there are Laws provided against those that are so wilfully negligent, I desire they may be put immediately in Execution: And if there be Occasion, new Writs shall forthwith be issued for new Elections. I am now obliged to call you thus to acquaint you, that there is lately come hither a Repeal of the late Affirmation Act, &c.' and concludes with requiring them to proceed to Business.

On the 23d of the 11*th Month*, 1713-14. The House adjourned to the 8th of the 12*th Month*, on which Day the Minutes are, *viz.* '12*th Month* 8, *P. M.* The several Members herein after named, met this Day according to Adjournment of the 23d of last Month, *viz. Joseph Growdon*, Speaker (and Fourteen other Members) And then the House adjourned till Nine To-morrow Morning.'

'12*th Month* 9. The several Members herein after named met this Day according to Adjournment (Sixteen besides the Speaker) and *J. N.* in Town, who being informed that the Governor was out of Town, and that the Extremity of Weather, and Sickness of some Members, hindered several from coming to Town.—— Adjourned to the 15th instant.—— 12*th Month* 15. The several Members of Assembly herein after named, met this Day according to Adjournment, *viz.* [Nineteen] besides the Speaker in Town; and then adjourned till Nine To-morrow Morning.—— 12*th Month* 16. The Representatives met, and being a Quorum, the Speaker assumed the Chair. *E. F.* and *I. S.* are appointed to wait on the Governor, and acquaint him, that by Reason of the Extremity of Weather, and Indisposition of several Members, they could not make a House on the Day of their last Adjournment (*viz.* the 8th Instant) that they had agreed to meet this Day, and are a House, and ready to proceed to Business, and desire to know whether he has any Thing further to lay before them.

——The Members return and report, that they had delivered their Message to the Governor,—— who returned Answer, that he could not take Notice of them as a House.—— The House proceeded to take into Consideration the Governor's Answer to the Message sent him by the House.—— And after a long Debate thereon.—— *Resolved*, that *J. K.* and *T. L.* do wait on the Governor, and acquaint him, that there is a full Number of Members now assembled together, and since he does not think fit to take Notice of them as an House, they are inclined to adjourn till the first of *May* next, unless the Governor shall think fit to call them together sooner.—— And then the House adjourned till Four o'Clock Afternoon.——*P. M.* The House met, and a Quorum appeared.—— *J. K.* and *T. L.* report, that they had delivered the Message, and that the Governor answered, he could not take any Notice of them as a House, and would consult his Council and Lawyers, what was proper to be done, whether for calling the present Members, or a new Assembly.—— The House proceeded to take into Consideration the Governor's Answer to their Mesaage; after some Debate thereon,—— *Resolved*, that an Address be drawn up and presented to the Governor, in Reply to the Governor's said Answer,—— *Ordered*, that *D. Ll. J. S. J. B. R. J. J. K.* and *J. R.* do prepare and draw up the said Address, and bring the same to the House To-morrow Morning.—— And then the House adjourned till Nine To-morrow Morning.—— 12*th Month* 17. The House met, and a Quorum appeared. *D. Ll.* from the Committee, brought in the Draught of an Address to the Governor,—— which after being read twice, was agreed to by the House, with a small Amendment,—— and is as follows, *viz.*'

To CHARLES GOOKIN, *Esq; Licutenant Governor of the Province of* Pennsylvania.

'We the Representatives of the Freemen of the said Province in Assembly met the 17th Day of *February*, 1713, being much concerned that the Governor should be prevailed upon to insist, that we are not a House, because Eighteen of us did not meet on the 8th Instant, do earnestly desire, that the Governor would be pleased to be informed, that it was not any wilful Neglect, or Slackness of Duty to serve the Publick, that was the Cause of so small an Appearance that Day, but Sickness and Extremity of Weather, rendered it impossible for divers of us to comply with that Adjournment.

'Nevertheless Fifteen met that Day, and Eighteen the next, and would have waited on the Governor to know his Pleasure

concerning their next Meeting; but the Governor not being in Town, the Members then present, being a Majority of the Whole, agreed to come together at this Time, as was lawful for them to do, and hath been formerly done upon such Emergency: And we hope the Governor will not be offended with us for being of this Opinion, when he fully considers the Constitution and Nature of the Legislative Authority of this Province.

'We desire the Governor to take Notice, that the Royal Charter gave our Proprietor, and his Deputies, Power to enact Laws, by and with the Advice and Assent of the Freemen of this Province, or the greater Part of them; or of their Delegates, whom for the enacting of the said Laws, when and as often as Need should require, the Proprietor, and his Heirs, should assemble in such Sort and Manner, as to him or them should seem best.

'Now by this Clause, the Law of Majority is absolutely settled, as is usual in all such Assemblies; and, pursuant to the said Power, we find the Proprietor and Freemen have constitued a standing annual Assembly, to be chosen at a certain Day, requiring their Attendance, under certain Penalties, allowing them divers Privileges *in particular, besides all the Privileges of Assemblies in the Queen's Dominions in general.*

'We know it is objected, that unless two Thirds of the whole Number of Representatives meet on the Day of Adjournment, there can be no House; which we can in no wise allow, because by the Law which requires two Thirds to make an Assembly, it had been generally understood, that a lesser Number could not act legislatively: *But never doubted, till of late, that such as met, were a House, to adjourn from Day to Day, till they had a Quorum.* And to admit of another Construction, would render the Powers of the said Royal Grant, as well as our Laws, in that Point, very ineffectual, and make the Act of God the Instrument of doing that great Wrong to the Powers of Assembly, contrary to the known Maxim and Principle of Law.

'Therefore, we desire that the Governor may duly consider the Premises, and join with us in Legislation, and not suffer the Insinuations of any to frustrate our good Purposes to serve the Governor in particular, and the Country in general.

By Order of the House,

JOSEPH GROWDON, Speaker.

'*Ordered*, That the said Address be engrossed, signed by the Speaker, and presented to the Governor, by *W. D.* and *T. S.* immediately.—The said Members return, and report, that the Governor was at Dinner.—*Ordered*, That they present the said Address to the Governor after he has dined, and bring his Answer this Afternoon to the House; and then the House adjourned till Three *P. M.*—*P. M.* The House met,—and a Quorum appeared.—The Members appointed to deliver the Address of the House to the Governor, report, that they had waited on the Governor, and offered to present unto him the said Address, according to Order; but that he refused to touch or receive the same; saying, that they were an unlawful Assembly, and bid them be gone about their Business, otherwise he would order the Sheriff and Constables to send them going.—*Ordered*, that a Copy of the said Address be published in the Coffee-House."

Upon which the House, after making several Resolves for publishing their Minutes, and giving Orders for Payment of the Publick Debts, adjourned to the 17th Day of the 3*d Month*, 1714.

'3*d Month* 17, 1714, The House met pursuant to their last Adjournment, and—a Quorum appeared. *Ordered*, That *N. N.* and *T. R.* do wait on the Governor, to know whether he hath any Thing to lay before this House.—The said Members return and report, that the Governor is not in Town.—The Question being put, that this House do adjourn to the Second of the 6th *Month* next, it passed in the Affirmative; and accordingly the House adjourned unto the Second Day of the 6*th Month* next P. M.'

6*th Month* 2, 1714. Several Member here under-named met this Day pursuant to their last Adjournment, *viz.* (Eight) besides the Speaker in Town, who considering the Governor has summoned all the Representatives to meet To-morrow,—agreed to adjourn till that Time.—Adjourned, *&c.*

6*th Month* 3, 1714. The House met pursuant to the Summons of the Governor, and proceeded to Business.'

On the Minutes of the Assembly elected in *October*, 1714, we find *December* 13, 1714, 'The several Members of Assembly here under-named met this Day pursuant to their last Adjournment, *viz.* The Speaker (and Twelve Members) who considering that the Extremity of Weather has hindered the Arrival of several Members this Day, agreed to meet again To-morrow, at Two o'Clock in the Afternoon; and accordingly adjourned till Two o'Clock To-morrow, *P. M. De-*

cember 14. The House met, and—a Quorum appeared. —A Message to the Governor by *N. P.* and *S. P.* that there is a competent Number of Members in the House, and desire to know if he has any particular Directions, as to the Qualifications of the Members of this House.—The said Members return and report, they had delivered their Message according to Order: That the Governor made Answer, he had no particular Direction for Qualification of Members of Assembly, but had sent several Papers to be perused by this House.'

Then the Governor and Assembly went forward with Business, till the 16th, when the Speaker and Fifteen Members Met, and adjourned to the Afternoon; at which Time, 'the Sixteen Members of Assembly met, pursuant to Adjournment, and received an Account of the Indisposition of several of their Members, who had been sent for to attend the Service of the House.—The said Sixteen Members last above named finding that there is no Likehood at present of making a House to proceed to Legislation, agreed that *N. W. R. H. J. K.* and *N. N.* do wait on the Governor, and acquaint him, that *J. M.* elected to serve in Assembly for *Chester* County is deceased: that Nine other Members, detained by Sickness or other Occasions, are now absent; and therefore that the Governor would be pleased to give his Order for issuing a Writ for electing a new Member in the Room of the said *J. M.* deceased; and also that he would be pleased to issue his Summons, commanding all the Members to appear in Assembly the first *Second-day* in the next Month; at which Time it is hoped there will be a full House, in order to proceed to Legislation.—The said Members return and report, they had delivered their Message.—That the Governor promised to issue his Writ and Summons, according to the Desire of the House,—And then the House adjourned to the Third of the 11*th Month*, 1714.'

'11*th Month* 3 *P. M.* The following Members met pursuant to their last Adjournment, *viz.* (Nine) who having waited for some Time, and finding the rest of the Members absented, by Reason (as they suppose) the Governor had not summoned the Members to attend as agreed last Sitting,—*Resolved*, that the Members present return to their several Habitations, until the Governor shall be pleased to summon the House to meet again. And that the City Members desire the Governor to expedite his Summons accordingly.'

'11*th Month*, 11, 1714-15. The House met pursuant to the Governor's Summons, and a Quorum appeared.'

1*st Month* 22, 1714-15. The following Members met this Day pursuant to Adjournment, *viz.* (the Speaker and Fifteen Members) who having waited till past Nine o'Clock, agreed to meet To-morrow Morning at Eight o'Clock. 1*st Month* 23. The House met, and proceeded to Business.

3*d Month* 16, 1715. The Speaker and twelve Members of Assembly met this Day, pursuant to Adjournment; who having waited till Nine o'Clock, adjourned until Two o'Clock To-morrow Afternoon.

'The Third Day of the Week and 17th of the *Third Month*. The House met.—The Speaker assumed the Chair, and the Members being called, a Quorum appeared. The Bill for laying a Land Tax, and the new modelling of the Impost Bill not being compleated, by Reason of the Indisposition of the Speaker, agreed to adjourn till Second-day next; and that the Speaker be desired, with the Assistance of the Committee, to compleat them by that Time.—Adjourned till *Second-day* next. *P. M.*

'The Second Day of the Week and 23d of the *Third Month*. The Speaker and Nine Members of Assembly met this Day pursuant to Adjournment.—Who having waited till Eight o'Clock, agreed to meet again To-morrow Morning Nine o'Clock.—Adjourned till Nine o'Clock To-morrow Morning.

'The Third Day of the Week and 24th of the 3*d Month*. The Speaker and Sixteen Members of Assembly met this Day.—*Ordered*, that *J. K.* and *C. P.* do wait upon the Governor and acquaint him, that they cannot make up a Quorum to proceed to Legislation, and desire him to consider of what Methods he thinks proper to call the Members together.—The said Members return and report, they delivered their Message to the Governor according to Order, who made Answer, that he would send out his Summons to call the Members together as soon as possible.'

'The Fourth Day of the Week and 25th of the 3*d Month*.—The House met. The Speaker assumed the Chair, and the Members being called, a Quorum appeared.'—And notwithstanding the Assembly'd Message, and the Governor's Answer of the 24th, without any Summons or Objection, proceeded on their Business, in Concurrence with the Governor.

The Fifth Day of the Week and the 9th of the 4*th Month*, 1715. The Speaker and Eleven Members of Assembly met pursuant to Adjournment;—who having waited till Eight o'Clock, agreed to met at Eight To-morrow Morning.'

'The Sixth Day of the Week and 10th of the *4th Month.*— The House met, the Speaker assumed the Chair, and the Members being called, a Quorum appeared,'—and engaged immediately in Business.

On the 29th of *October*, 1715, we find an Adjournment to the Second Day of *11th Month* following; but on that Day there is no Entry of any Meeting of the House, or any of the members; so that here seems to be a Defect in the Journals of the House.

'On the First of the *3d Month*, 1716, the House met, in Pursuance of the Governor's Summons, and a Quorum appeared; *Ordered*, that *E. B.* and *T. H.* do wait on the Governor, and acquaint him, that there is a Quorum of the House met, and that they will wait on him to receive his Commands To-morrow Morning about Nine o'Clock; to which Time the House was adjourned. Adjourned to Nine o'Clock To-morrow Morning.'

'*3d Month* 2. The House met, and a Quorum appeared.— The Governor sent a Message to the House, beginning with these Words, *viz.*

'Gentlemen, By what Mistake or Misfortune you missed your Adjournment, I shall not enquire:— You are now restored to your Privileges as at first; and I am ready to join with you, to enact such Laws, as may be for the Interest and Tranquility of the Province, *&c.*

We are now at the Conclusion of Governor *Gookin's* Administration, and at an End also of all Disputes with the Representatives of this Province, concering the Power of adjourning themselves, when met together in a lesser Number than a Quorum of the whole House. A Succession of better Times has hitherto removed all Difficulties on that Head, whenever by unavoidable Accidents, or the Negligence or Perverseness of their own Members, the House have been unable to make a Quorum, either upon their own Adjournments, or when called together by the Governor's Writs, as we proceed to make appear.

'On the 27th of the *1st Month*, 1727, the following Members met according to Adjournment (from the 10th of *December* preceding) *viz.* David Lloyd, Speaker [and Eleven Members] but a Quorum not appearing at Nine o'Clock at Night, Three of the Members present undertook to acquaint the Governor thereof. And then they agreed to meet To-morrow at Two o'Clock in the Afternoon.'

'1*st Month* 28. The following Members of Assembly met this Day (*viz.* the Speaker and Fourteen Members) who having waited some Time, agreed to meet again To-morrow at Two o'Clock in the Afternoon.'

'1*st Month* 29. The House met, and a Quorum appeared.— *Ordered*, That *E. F. &c.* wait upon the Governor with the following Message in Writing, *viz.* The House of Representatives do humbly certify to the Governor, that by Reason of the great Sickness in the Country, and sudden Fall of Rain, such a Number of the Representatives, as are usually required to proceed in Legislation, could not meet together before this Day; and that a sufficient Number of the Representatives are now with the Speaker met together, and are ready to go upon Business, and desire to know if the Governor has any Thing to lay before them.'

D. Ll. Speaker.'

'The said Members return and report, that they delivered the said Message to the Governor, and the Governor was pleased to say, he would send a Message in Writing in Answer thereto immediately.— The House being informed that *F. R.* a Member of Assembly—is deceased; *Resolved*, that the Speaker issue an Order to the Governor's Secretary,— requiring him forthwith to issue a Writ to the Sheriff, for electing another Person to serve in his Stead, which was done accordingly. The Governor's Secretary delivered a Letter to the Speaker from the Governor, intimating that it being then late, he chose to defer laying any Thing before the House till To-morrow Morning. Adjourned till To-morrow Morning.

'1*st Month* 30. *Ordered*, that *T. T.* and *J. K.* wait upon the Governor and acquaint him, that a Quorum of the Representatives being now met together, are unwilling to proceed upon Business before they receive his Commands,— who return and report,— that the Governor was pleased to say, he had already sent a written Message by his Secretary to the House.—The Governor's Secretary delivered a written Message to the House, which (as far as relates to their Adjournment) is as follows, *viz.* Mr. Speaker, and Gentlemen of the House of Representatives,—the Weather and Floods having prevented your meeting on the 27th Instant, pursuant to your last Adjournment, I thought fit notwithstanding, as soon as a sufficient Number to make a House were in Town, to enable you, as I now do, to act again; and although I understand you are still, for the Reasons that have been mentioned, much short of being full, yet I cannot decline laying before

you a Matter of vast Importance to the whole Country, which requires all our Attention, and your serious Application.'

As the *Newcastle* Members deserted the Service of the Country in the Year 1701, for fear of being overvoted; so again we find that Eight of the Representatives chosen in *October*, 1727, after having joined with the other Members in several Sessions, finding themselves unable to procure a Majority of Votes, deserted the House, in Hopes by that Means to leave the sitting Members without any legal Authority, and force them to comply with their Demands; but the Absurdity was too apparent, as it must always subject the Majority of the House to any Number exceeding one Third of the Whole: And therefore, as the Proprietor himself had decided the Powers of a Majority in the first Instance, so in the other the Governor concurred with the House, *'That in this Case of Necessity, the sitting Members were well warranted by the Roayl Charter*, as well as by our own Laws, to enter upon the Business of the Province; which they entered upon accordingly, and discharged their Duty to their Constituents through the remaining Part of the Year; as we now proceed to shew from the Minutes of the House.

'On the 20th of the 2*d Month*, 1728, one of the Members being absent with the Leave of the House, and another of their Members deceased, Eight Members for the City and County of *Philadelphia* deserted the House; who being repeatedly applied to, and sent for, to attend the Service of the House, without Effect, the sitting Members agreed to meet in the Afternoon; at which Time being informed by sundry of the Members then present, that they had spoke with some of the said absent Members, and understood that they did not design to give their Attendance in the House; thereupon it was moved and resolved by the sitting Members, that the Governor be acquainted with the Interruption the publick Business has met with, by the unwarrantable Conduct and wilful Absence of the said Eight Members; and request that the Governor will be pleased to summon all the Members of the present Assembly of *Pennsylvania*, to meet at such Times as he shall think proper, after his Return from his Attendance at the General Assembly of the *Three Lower Counties*. And the Speaker and sitting Members having continued in the House until Eight o'Clock at Night, and having no farther Account from the aforesaid Eight Members, a Representation was drawn up according to the above Resolve, and being approved of, *A. H. J. L. &c.* were ordered to wait on the Governor, and present the same.—And then the Members separated.'

'On the 14th of the 3*d Month* a Majority of Representatives met pursuant to the Governor's Summons.—At which Time a Member being chosen, took his Seat in the House, in the Room of the Member deceased.—The Governor sent to the House the Returns of the Writs of Summons.—The House sent their Serjeant at Arms to the Eight Members, to require their Attendance immediately on the Service of the House; who returned and reported, 'that the said absent Members refused to come to attend the 'Service of the House. Whereupon it was *Ordered*, that *A. H. &c.* wait on the Governor, and acquaint him, that a Majority of the Representatives being met according to his Summons, desire to know if he has any Thing to lay before them: and that they had agreed to adjourn till To-morrow Morning and then the House adjourned till To-morrow Morning.'

'3*d Month* 15th, 1728. The Representatives met this Day, the Speaker assumed the Chair, and the House was called over (absent the Eight Members)—The Members appointed last Night on a Message to the Governor, report, that they delivered their Message according to Order, and that the Governor answered, that what he had to lay before the House, should be communicated either by Message or Writeing, when the House was ready to receive it.—A Message from the Governor, by his Secretary, desires that the Speaker and House will forthwith give their Attandance on the Governor, now sitting in Council at the House of *J. L.* to consider of some Matters of great Importance to the Welfare of this Province. —Then the House taking into Consideration the Proceedings of those Eight Members, who, by absenting themselves, would put a Stop to the publick Business of this Province;—and after some Debate thereon, a Motion was made, and the Question put, that the Seventeen Members present, being a Majority of the whole Representative Body of this Province, have the Power of an Assembly, and may safely proceed to Legislation, according to the Royal Charter, granted to the Proprietor and People of *Pennsylvania*, and according to the Laws of this Province.—Carried in the Affirmative, N. C. D.

'Then the Speaker and the House went to wait on the Governor accordingly, and being returned, the Speaker resumed the Chair, and reported, that the Governor had made a Speech to this House, a Copy of which was presented to him; and the same (as far as it relates to the Majority of the House) is as follows;'

'Mr. Speaker, and Gentlemen of the House of Representatives,—Though I have resolved never to interfere with the

Proceedings of the House of Representatives, in what concerns their Privileges, *of which you are most immediately the Judges;* yet the last Breaking up of the House has given me no small Uneasiness; I shall, notwithstanding, on your present coming together again, by my Summons, recommend it to you all, to fall on the most pacific Measures that may be thought of for making up this Breach, with a due Regard *to the Rights and Privileges of the House, which I hope you will all be equally careful to support and maintain.*'

The House, after reading the Governor's Message, adjourned to the Afternoon; at which Time the Speaker signed a Warrant for the Sergeant at Arms, to give Notice to the absent Members forthwith to give their Attendance.—But though the Sergeant at Arms had given Notice accordingly,—the said Members not appearing, the House proceeded to take into their Consideration the Governor's Speech.—'*Ordered*, that *A. H.* and *J. L.* be a Committee to draw up an Answer thereto.—And then the House adjourned till To-morrow, P. M.'

'3*d Month* 16th. The Members appointed to draw up and Address to the Governor, in Answer to his Speech, brought in the same. Which was read, and after some Debate thereon, and some Additions and Alterations being proposed to be made thereto by the House: *Ordered*, that *A. H. J. L.* and *W. W.* be a Committee to draw up the same accordingly, in order to lay before the House To-morrow Morning.—Then the House adjourned till To-morrow Morning.'

'3*d Month* 17th, 1728. The House met (absent the Eight Members) Upon Motion, that some Provision be made for defraying the Charges of *Indian* Treaties,—pursuant to a Resolution of the House, of the 27th of *January* last, the Question was thereupon put, that an Order be issued on the Provincial Treasurer, for the Sum of *One Hundred Pounds*, payable to the Honourable *Patrick Gordon*, Esq; for the Purposes aforesaid.—Carried in the Affirmative, N. C. D.'

'The Committee appointed to draw up an Address to the Governor, delivered in the same accordingly, which being read by Paragraphs, and considered, and some small Amendments made,—a Motion was made, and the Question put,—that the Address, as now amended, be transcribed and signed by the Speaker, in order to be sent up to the Governor?—Carried in the Affirmative, N. C. D.—Then the House adjourned till To-morrow, *A. M.—P. M.* The House met, *&c.* (absent the Eight Members) The Address being transcribed and signed by the Speaker, is (as far as relates to our present Enquiry) as followeth, *viz.*'

'*May it please the* GOVERNOR,

'We are most sensibly effected with the Uneasiness given the Governor by the late Conduct of some Members of our House, and the more so, because of the unhappy Delay it has given to the publick Business; the Dispatch of which is so necessary, and has been so heartily recommended to us by the Governor, with repeated Assurance of his ready Concurrence, in whatever may be for the Good of the People of this Province.

'We do with Gratitude acknowledge the Governor's Justice, *in declining to interfere with the Proceedings of the House of Representatives in what concerns their privileges;* and hope such a Conduct will always meet with the Acknowledgements due to a Resolution so just and honourable, in not taking the Advantage of the Weakness or wilfulness of such of the said Members, as would rather give up our most valuable Privileges to their own Resentments, than suffer themselves to be governed by the most just and well known Rules of Law and Reason, in being concluded by a Majority of double their Number. But being now met in Obedience to the Governor's Summons, upon Consideration of what he has been pleased to communicate to us, we think it our indispensible Duty to do every Thing in our Power, to prevent the fatal Consequences that may attend any Misunderstanding with the *Indians*.'

'It would have been very agreeable to us, to have had the Assistance of the said Members, but as that cannot be had, we should hold ourselves accountable for all the Evils that may attend any Neglect on our Part, if we did not apply ourselves with all the Care and Zeal we are capable of, to take such Measures as may restore the Province to its former Peace and Security. It is therefore of Necessity, that we now enter upon Business; and as we conceive ourselves well warranted by the Royal Charter granted to the Proprietor and People of this Province, as well as by our own Laws, in proceeding with so great a Majority of the Representatives of the Freemen of *Pennsylvania*, so we hope the Governor will be of the same Opinion; and that the Law of Majority which takes Place both in the common and civil Law, will fully justify the Proceedings of this House, who have no other View but to preserve a peaceable People from the Invasions of a cruel and unreasonable Enemy, and to support a Government preferable, as we believe, for the great Privilege enjoyed under it, to any other in *America*.'

'*Ordered*, That *J. K. B. J. W. W.* and *P. T.* present the same to the Governor, who return and report, that they delivered the same according to Order, and that the Governor was pleased to answer, *that he concurred with the Opinion of the House in the said Address.*'

We now come to the last Instances recorded in the Journals of the House, *viz.*

'The 28*th of April*, 1729. The following Members met according to Adjournment, *viz.* Sixteen, but a Quorum not appearing, the Members met with the Speaker agreed to meet again To-morrow Morning.'

'The 29*th of April*, 1729. A Quorum not appearing, the Members met with the Speaker agreed to meet again at Three o'Clock this Afternoon.—*P. M.* The House met, the Speaker assumed the Chair, and the Members being called, a Quorum appeared—*ordered*, that *W.—M. J—K, A—H and J—P*— wait on the Governor with the following message, *viz.*

May it please the GOVERNOR,

'The House of Representatives do humbly certify to the Governor, that Yesterday being the Time to which this House was last adjourned, sundry Members were prevented of coming to Town, by Reason of the great Floods; and at the Time when the Members separated Yesternight no Adjournment was made, but that a sufficient Number are now met with the Speaker, and are ready to proceed upon Business with the Governor's Approbation.

Signed by Order of the House,

April 29, 1729. DAVID LLOYD, Speaker.'

'The Members appointed to carry the Message of the House to the Governor, return and report that they had waited on the Governor, who said for Answer, that he was pleased that the House was met, and approved of their Proceeding to Business and recommended Unanimity and Dispatch to the House in all their Proceedings.'

The 5th of *May*, 1729. The Speaker and Fifteen Members met, but a Quorum not appearing, agreed to meet To-morrow Morning.

On the 6th of *May* the House met; the Speaker assumed the Chair, and the Members being called; a Quorum appeared, and the House immediately proceeded to Business; and the same Day received a Message from the Governor concerning the Paper-Money Bill then under Consideration, without any Objection to their not having a full House on the preceding Day.

And since that Time, we do not find any instance of the Assembly's failing to meet in a full House on the Days to which they have adjourned, or on which they have been summoned by the Governor's Writs, till the Time of our present Meeting.

All which is submitted, by

ISRAEL PEMBERTON, GEORGE ASHBRIDGE,
JOHN SMITH, JAMES WRIGHT,
JOSEPH FOX, JOHN WRIGHT."
JOSEPH HAMPTON,

Resolved, N. C. D. That this House, by their Charters and the Laws of this Province, have an undoubted Right to sit upon their own Adjournments, besides all the Privileges of Assemblies in the King's Dominions in general.

Resolved, N. C. D. That the Majority of this House having met upon the Day of their Adjournment, and from thence continued their Adjournments till a Quorum appeared, has an undoubted Right so to do, and at this Time have all the Powers of an Assembly of this Province, and are ready to proceed to Business.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Ordered, That *Israel Pemberton* and *William Clymer* wait on the Governor with the following Message, *viz.*

May it please the GOVERNOR,

A Majority of the Members of this House met on the 7th Instant; the next Day a Quorum appeared, and being now again met in a full House, are ready to proceed on Business, and to receive any Thing the Governor may be pleased to lay before us.

Signed by Order of the House,

ISAAC NORRIS, Speaker."

A Petition from sundry Inhabitants of the County of *Philadelphia*, setting forth, that a pernicious Custom of shooting Guns, and other Fire-arms, by Way of Salutation in the Night-time at the Commencement of the Year, has been introduced into this Province by the *Germans*, and very much prevailed among Servants, Negroes, *&c.* whereby numerous Disorders have been caused and promoted, as Revellings, Excessive Drinking, and Maiming by the Bursting of overloaded Guns; that lighted Wadding has also been thereby frequently

thrown into Houses, and upon Barns, *&c.* and many other Mischiefs arisen, to the great Annoyance of the peaceable Inhabitants; that in some Places, malicious Persons have taken this Occasion of terrifying, and injuring those to whom they had ill Will, by firing, in a clandestine Manner, Bullets, Stones, *&c.* into their Houses, of which there are several late Instances; and therefore the Petitioners pray, that the House would take this pernicious growing Evil into Consideration, and make such Provision for the future Prevention thereof, as shall seem necessary; was presented to the House and read, and *Ordered to lie on the Table.*

The Gentlemen appointed to wait on the Governor, return and report, that they delivered the Message of the House according to Order; and that the Governor, after reading the same, was pleased to say he would send an Answer in a Quarter of an Hour, if the House would wait so long.

The Governor sent down the following Message to the House in Writing, *viz.*

MR. SPEAKER AND GENTLEMEN,

'BY what Mistake or Misfortune you missed your Adjournment, I shall not enquire; you are now restored to your Privileges as at first, and I am ready to join with you to enact such Laws as may be for the Interest of the Province.

'What the Service of the Publick requires, will naturally fall under your Notice; I shall only at present recommend to you Unanimity and Dispatch in all your Proceedings; and what further may occur, shall at a proper Time be communicated by Message.

Jan. 15, 1750. JAMES HAMILTON.'

Then the House adjourned to Three o'Clock, *P. M.*

The Report of the Committee, relating to the Business recommended by the last Assembly to the present, was read;

And the Minutes of the two last Assemblies, relating to the Bill for regulating the Probate of Wills, were read.

Ordered, That *Hugh Evans*, *Joseph Fox*, *Mahlon Kirkbride*, *Thomas Cummings*, *Calvin Cooper*, *John Wright* and *Hermanus Alrichs* be a Committee to prepare and bring in a Bill, to regulate the Probate of Wills within this Province.

Ordered, That *Israel Pemberton*, *John Smith*, *Edward Warner*, *Joseph Trotter*, *William Clymer*, *Joseph Fox*, *Evan Morgan* be a Committee to prepare and bring in a Bill for regulating the Nightly Watch within the City of *Philadelphia.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House taking into Consideration the Petitions relating to Publick Houses, recommended to this Assembly by the preceding,

Ordered, That the Clerk acquaint the Treasurer, that the House requires his Attendance To-morrow Morning, with the Secretary's Lists of Publick House Licences for the present Year.

A Petition from a Number of Inhabitants of *York* County, was presented to the House and read, setting forth, that *Hans Hamilton*, Sheriff of the said County, did not open the last Election till near Two o'Clock in the Afternoon, which made many of the People very uneasy; that his Party, the *Marsh-Creek* People, gathered about the Election House, to give in their Tickets, and would not suffer the *Dutch* People and other Friends to come near the House, but did what they could to keep them off with Clubs, so that the *Dutch* were obliged to do the best they could, or else go Home without voting; and being the most in Number, they drove the *Marsh-Creek* People from the House, and when they had so done, they came in a peaceable Manner to give in their Votes; but when the Sheriff saw that his Party was mastered, he locked up the Box, and would not suffer the Inspectors to take any more Tickets, which made the *Dutch* People angry, and strive to break into the House; and then the sober People desired the Sheriff to continue the Election, but he would not, and went away out of a back Window; several of the Inspectors going with him; and then the Freeholders desired the Coroner to carry on the Election, which he did carefully and justly: and afterwards the Sheriff was asked to come and see the Votes read, and an Account taken of them, but he refused: And praying that the House would take the Premises into Consideration, and do therein as to their Wisdom shall seem meet.

Ordered to lie on the Table.

Then the House adjourned to Three o'Clock, *P. M.*

The Petition from a Number of Inhabitants of *Lancaster* County to the late Assembly, for a Law to enable them to build a Workhouse, *&c.* was read;

Resolved, That Leave be given to the Members for the County of *Lancaster*, to bring in a Bill for that Purpose.

And the Representatives for *York* County requesting that their County might be included in the said Bill, the same was agreed to by the House.

The House taking into Consideration the Petitions relating to Ferries,

Ordered, That *Joseph Trotter*, *William Clymer*, *Israel Pemberton*, *Abraham Chapman*, *George Ashbridge*, *Calvin Cooper*, *John Witherow* and *Joseph Armstrong* be a Committee to inspect the Laws relating to Ferries, and report thereon to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Treasurer attending according to Order, was called in, and laid before the House the Lists he had received from the Secretary, of the Names of the licenced Publick Housekeepers in this Province. He also represented to the House, that it is necessary some Person should be appointed to take Care of collecting the Excise for *Bucks* County, the present Collector being through Indisposition rendered incapable of that Service. And then withdrew.

The Members for *York* County, with the Leave of the House, brought in a Bill for explaining and corroborating the Boundry Line between the Counties of *York* and *Cumberland*, in the Province of *Pennsylvania;* which was read the first time, and ordered a second Reading.

The Petition from sundry Inhabitants of *York* County, relating to the late Election there, was again read.

Ordered, That *Israel Pemberton* and *John Smith* deliver the said Petition to the Governor, and acquaint him that the House recommends the same to his Consideration.

A Bill for the better discovering of Frauds, and also for the Examination of Witnesses in *Perpetuam Rei Memoriam*, and to authorize the Examination of Witnesses living out of the Province of *Pennsylvania*, was brought in with the Leave of the House, and read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A petition from sundry Overseers of the Highways of the County of *Philadelphia*, setting forth, that by the Laws of this Province the Overseers of the Highways are obliged to keep them in good Repair, by the Labour of the Inhabitants of the several Town-ships, without any Provision made to

supply Materials for their Amendment, except what may be found within the Limits of such Highways, and without Authority in the Overseers to provide Means of transporting them from one Place to another, where they may be useful; That though the Laws relating to the Highways might have been suitable to the Infant State of the Country, when Land and Timber were of small value, and our Roads little frequented; yet of late Years, by the vast Increase of Inhabitants and Carriages of various Kinds, Circumstances are so greatly changed in all these Respects, especially near the City of *Philadelphia*, that it is impossible to find Materials, such as Wood, Stones and Gravel, sufficiently firm and lasting, to make the Roads passable in Winter-Time, without taking them from the neighbouring Plantations (which the Petitioners are advised is unlawful) and without carrying them to the Roads by convenient Carriages, such as the Overseers, without bearing the Expence themselves, are not authorized to procure. That by this Means the Labour of the Inhabitants on the Roads is much augmented, the Roads are generally impassable in the Winter and Spring, and sometimes the Overseers are indicted and put to great Expence for not maintaining them in good Order, when they have used their utmost Diligence to repair them. Therefore the Petitioners, in Behalf of themselves and others, pray the House would take the Premises into Consideration, and take such Measures for remedying the same, as to their Wisdom shall seem meet; was presented to the House and read and *Ordered to lie on the Table.*

The Bill for explaining and corroborating the Boundary Line between the Counties of *York* and *Cumberland*, in the Province of *Pennsylvania*, was read a second Time, and ordered for a third Reading.

The Gentlemen appointed to deliver the Petition from *York* County to the Governor, with the Message of the House, report, they waited on the Governor and delivered the same according to Order, and that the Governor was pleased to say, he would consider it, and do what should appear necessary thereupon.

It being moved, that there is a Part of the State-House Ground, purchased by the Province, for which Conveyances have not yet been made;

Ordered, That the Superintendants of the State-house enquire how that Matter stands, and do what may be necessary therein.

Then the House adjourned to Three o'Clock, *P. M.*

The Petition against firing Guns, *&c.* on the Eve of the Commencement of the Year, *&c.* was again read, and considered, and referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Treasurer having acquainted the House, that the Collector of the Excise for *Bucks* County, is become incapable of executing that Office;

Ordered, That the Treasurer give Notice to the said Collector, that if his Health will permit, he do immediately attend this House with his Accounts.

The Petition against firing Guns, *&c.* on the Eve of New-year's Day, was again read, and considered;

Ordered That *Joseph Trotter*, *Joseph Fox*, *Joseph Gibbons*, *Joseph Hamton*, *James Webb*, *John Wright* and *Hermanus Alrichs* be a Committee to prepare and bring in a Bill for the Purposes in the said Petition mentioned.

The Governor sent down a Message to the House in Writing, with several Letters and Papers therein referred to, which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

'I Received by the last Post the Letter herewith laid before from his Excellency the Governor of *New York;* and as it contains Matters of very great Importance to the Inhabitants of all his Majesty's Colonies on this Continent, and to none more than those of this Province, I must desire you to take the Contents thereof into your most serious Consideration.

'I am pleased to find by a Letter from Mr. *Groghan*, of the Sixteenth of *November*, from *Ohio*, which came to my Hands two Days ago, that all our *Indian* Allies in those Parts, as yet, remain true to their Engagements with us; and that some of them are desirous of removing nearer to their Brethren the *English;* with a View, no doubt, of receiving Protection from them, against the *French*, with whom they expect to be at War in the Spring: but as that Letter contains several Matters, worthy your greatest Attention, I choose to lay the Whole of it before you, without any Comments of my own, which I am persuaded would be unnecessary at this Time.

'The Money voted at your last Sessions as a Present to the *Indians* at *Ohio*, has been laid out to the best Advantage, in Goods proper to the Occasion; Great Part of them has been some Time since transported over *Sasquehannah*, and there securely lodged, in order to their being carried more early in

the Spring, to the People for whom they are designed; the Remainder is yet in Town, for want of Carriages to transport them thither, but shall be sent Up as soon as the Roads will permit. But as all the Money given for this Service, was invested in Goods, and no Provision made, that I know of, to pay the Charges of their Conveyance to *Ohio*, I must desire you to think of this, and provide accordingly. The Sum demanded for their Transportation, is *Two Hundred and Fifty Pounds*, which appears to me to be very high, but by all the Enquiry I have been able to make, I do not find I can get it done for less, by any Person in whom I can place a Confidence.

'I have nothing to add, but to assure you, that whatever you enable me to do at this difficult Season, shall be performed to the best of my judgment, with a strict Regard to the Interest of the Province.

January 19, 1759. JAMES HAMILTON.'

And the farther Consideration of the Governor's Message was referred to the ensuing Week.

Then the House adjourned to next *Second-day*, at Three o'Clock, *P. M.*

The House met pursuant to their Adjournment.

The Bill for explaining and corroborating the Boundary Line between the Counties of *York* and *Cumberland*, in the Province of *Pennsylvania*, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *John Wright* and *James Webb* carry up the same to the Governor, and desire his Concurrence.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Bill for explaining and corroborating the Boundary Line between the Counties of *York* and *Cumberland*, in the Province of *Pennsylvania*, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would consider it.

A Bill for Amendment of the Law relating to the Probate of Wills within this Province, was read the first time, and ordered a second Reading.

A Bill for the more effectual preventing Accidents that may happen by Fire, and for suppressing Idless, Drunkenness and

other Debaucheries, was read the first time, and ordered a second Reading.

A Bill for the better regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the said City, and for raising of Money on the Inhabitants of the said City, for defraying the necessary Expences thereof, was read the first time, and ordered a second Reading.

The Petition of the Overseers of the Highways was again read, and considered;

Ordered, That *Evan Morgan*, *Mahlon Kirkbride*, *George Ashbridge*, *James Wright*, and *John Wright* and *Joseph Armstrong*, be a Committee to inspect the Laws now in being, relating to Roads, and bring in a Bill for remedying the Inconveniences complained of by this Petition, with such other Provisions as shall be necessary for the more effectual repairing, and amending the Highways.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill for the better discovering of Frauds, and also for the Examination of Witnesses in *Perpetuam Rei Memoriam*, and to authorize the Examination of Witnesses living out of the Province of *Pennsylvania*, was read the second time, and after a considerable Debate thereupon, it was

Referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor's Message was again read, and considered, with the several Papers accompanying it; and the same not requiring an immediate Answer, was referred to farther Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

A Letter from the Proprietor, with sundry Papers relating to the Repeal of the Act concerning the Importation of Convicts, *&c.* were laid before the House, and read.

A Petition from sundry Inhabitants of the City of *Philadelphia*, setting forth, that with the Numbers of People, the Number of Lunatics or Persons distempered in Mind, and deprived of their rational Faculties, hath greatly encreased in this Province: That some of them going at large, are a Terror to their Neighbours, who are daily apprehensive of the Violences they may commit; and others are continually wasting their substance, to the great Injury of themselves and Families, ill-disposed Persons wickedly taking Advantage of

their unhappy Condition, and drawing them into unreasonable Bargains, &c. That few or none of them are so sensible of their Condition, as to submit voluntarily to the Treatment their respective Cases require, and therefore continue in the same deplorable State during their Lives; whereas it has been found by the Experience of many Years, that above two Thirds of the Mad People received into *Bedlam* Hospital, and there treated properly, have been perfectly cured. And farther representing, that though the good Laws of this Province have made many compassionate and chartiable Provisions for the Relief of the Poor, yet something farther seems wanting in favour of such, whose Poverty is made more miserable by the additional Weight of a grievous Disease, from which they might easily be relieved, if they were not situated at too great a Distance from regular Advice and Assistance; whereby many languish out their Lives, tortured perhaps with the Stone, devoured by the Cancer, deprived of Sight by Cataracts, or gradually decaying of loathsome Distempers, who, if the Expence in the present Manner of nursing and attending them separately (when then they come to Town) were not so discouraging, might again, by the judicious Assistance of Physic and Surgery, be enabled to taste the Blessings of Health, and be made in a few Weeks useful Members of the Community, able to provide for themselves and Families. And therefore praying, that the House would take the Premises into Consideration, and erect a small Provincial Hospital, for the Reception and Cure of Lunatics, and sick or distempered Poor, and appoint Persons to govern the same, with Power to receive the chartiable Benefactions of good People towards enlarging and supporting it; was presented to the House and read, and

Ordered to lie on the Table.

The Bill for Amendment of the Law relating to the Probate of Wills, within this Province, was read a second time, and considered, and the farther Consideration thereof referred to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House resumed the Consideration of the Bill for amending the Law relating to the Probate of Wills; and after a considerable Debate, it was recommitted for Amendment to the Committee who brought in the same.

Ordered, That *Israel Pemberton* be added to the said Committee.

The Bill for regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the said City, and for raising of Money on the Inhabitants of the said City for defraying the necessary Expences thereof; was read a second time, and considered, and the farther Consideration thereof adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The House proceeded in considering the Bill for regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the said City, and for raising of Money on the Inhabitants of the said City for defraying the necessary Expences thereof; and having gone through the same, it was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for the more effectual preventing Accidents that may happen by Fire, and for suppressing Idleness, Drunkenness, and other Debaucheries, was read a second time, and considered; and after some Time spent therein, it was recommitted to the Committee that brought in the same, for Amendment.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill for amending the Law relating to the Probate of Wills, was again read, and considered, and ordered to be transcribed for a third Reading.

The Committee appointed to inspect the Laws relating to Highways, report, that they have done the same, and find sufficient Provisions therein to answer every necessary Purpose at present in the Counties of *Bucks*, *Chester*, *Lancaster*, *York* and *Cumberland*, and that if duly executed, there will be no Need of any further Powers to be given to the Overseers of the Highways in those Counties, in order to enable them to keep the same in good Repair: But that, if some Amendment of those Laws is thought necessary for the County of *Philadelphia* particularly, they are of Opinion that the Members of that County may have Leave to bring in a Bill.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Bill for amending the King's High Roads in the County of *Philadelphia*, was with the Leave of the House brought in, and read the first time, and ordered a second Reading.

The Bill for amending of the Law, relating to the Probate of Wills within this Province, being transcribed, was read the third time.

Resolved, That the Bill do pass.

The Bill for the better regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the said City, and for raising of Money on the Inhabitants of the said City for defraying the necessary Expences thereof, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *William Clymer* and *Joseph Fox* do carry up the Bills to the Governor, and desire his Concurrence thereto; and acquaint him, that the House desires to know when they may expect his Result on the Bill that has been some Time before him.

The Bill for the more effectual preventing Accidents which may happen by Fire, and for suppressing Idleness, Drunkeness and other Debaucheries, was again read, and referred to further Consideration.

The Gentlemen return and report, that they waited on the Governor, and delivered the Bills and Message of the House according to Order; and that the Governor was pleased to say, he would give them all the Dispatch he could; and that he would send the Bill that had been some Time under his Consideration, to the House, the Beginning of the next Week.

Then the House adjourned to the *Second-day* of the next Week, at Three o'Clock, *P. M.*

The House met pursuant to their Adjournment.

The Bill for the more effectual preventing Accidents that may happen by Fire, and for suppressing Idleness, Drunkenness and other Debaucheries, was again read, and considered, and referred to further Consideration To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Bill for erecting Houses of Correction, and Workhouses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, was read the first time, and ordered a second Reading.

The Bill for the more effectual preventing Accidents which may happen by Fire, and for suppressing Idleness, Drunkenness and other Debaucheries, was again read, and considered,

Paragraph by Paragraph, and ordered to be transcribed for a third Reading.

The Bill for amending the King's High Roads in the County of *Philadelphia*, was read a second time, and considered, and after some Debate,

Referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by his Secretary, sent down the Bill for explaining and corroborating the Boundry Line between the Counties of *York* and *Cumberland*, with a proposed Amendment of the Word *Ascertaining* instead of *Corroborating*, in the Title of the said Bill, which was agreed to by the House.

The Petition from a Number of the Inhabitants of *Philadelphia*, for the Erecting of a provincial Hospital for Lunatics, *&c.* was read a second time;

Ordered, That the Petitioners have Leave to bring in a Bill for the Purposes mentioned in their Petition.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from a great Number of the Inhabitants on the West-side of the River *Schuylkill*, setting forth, that the many and great Disadvantages they labour under for Want of a Bridge over that River, put some of the Petitioners on proposing a Subscription for building one by voluntary Contributions, which they made some Progress in, and have good Reason to conclude that very large Sums of Money might be raised in that Way; but to compleat the Work, the Aid of the Legislature will be necessary: And therefore praying, that the House would appoint proper Persons to view and consider of the fittest Place for erecting a Bridge over the said River, to make an Estimate of the Expences thereof, and to collect and take the Accounts of the Subscriptions, in order to be laid before the House; and that the House would take such farther or other Measures for promoting thereof, as to their Wisdom shall seem meet; was presented to the House and read, and

Ordered to lie on the Table.

The House being informed that *James Morris*, one of the Trustees of the Loan-Office, is lately deceased;

Resolved, That *Charles Norris* be a Trustee of the Loan-Office, in the Room and Stead of *James Morris*, deceased.

The Bill for the more effectual preventing Accidents which may happen by Fire, and for suppressing Idleness, Drunken-

ness, and other Debaucheris, being transcribed, was read a third time;

Resolved, That the Bill do pass.

Ordered, That *Hugh Evans* and *Peter Dicks*, carry up the same to the Governor for his Concurrence; and withall desire to know when the House may expect his Result on the Bills now before him.

Then the House adjourned to Three o'clock, *P. M.*

Resolved, That *Joseph Fox* be appointed a Trustee of the *Province-Island*, in the Room of *James Morris*, Deceased.

The Gentlemen appointed to wait on the Governor, with the Bill and Message of the House, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would give all the Dispatch he could to the Bills under his Consideration.

The Bill for erecting Houses of Correction, and Workhouses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, was read a second time, and referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for erecting Houses of Correction, and Workhouses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, was again read, and considered, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill for erecting Houses of Correction, and Workhouses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, was again considered, and ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from a great Number of Inhabitants of the City of *Philadelphia*, setting forth the Advantages that would accrue to both City and Country, by erecting a Bridge over the River *Schuylkill*, and the Prospect of a considerable Subscription for that Purpose; and praying that the House would appoint Persons to view the said River, compute the Expence of a Bridge over it, and receive the Accounts of Subscriptions, to be laid before the House; and that the House would farther take such Measures for effecting the

Design, as to their Wisdom should seem meet; was presented to the House and read, and

Ordered to lie on the Table.

The Bill for erecting Houses of Correction, and Workhouses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Calvin Cooper*, *John Wright* and *Hermanus Alrichs* carry up the same to the Governor, and desire his Concurrence.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to carry up the Bill to the Governor, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would take it into Consideration.

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

I am very sensible of the many Dangers the Inhabitants of the City of *Philadelphia* are exposed to, by the Darkness of their Streets, and the Want of a well regulated Watch in the Night; of their earnest Desires to have, and your good Intentions to provide a suitable Law for their Speedy Relief: And therefore no Bill, concerning the City, with regard to its general Design and Utility, can possibly be more agreeable to my Inclinations, than that now before me, for the better regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the said City, and for raising of Money on the Inhabitants of the said City for defraying the necessary Expences thereof. But as the Provisions in the Bill, which relate to the Properties, and may essentially affect the Liberties of the Citizens, and other Inhabitants of the Province resorting to the City, are such as we have yet had no Experience of, and seem in many Instances to deviate from the Laws of our Mother Country in the like Cases, I have resolved, in order to give it mature and deliberate Consideration, to advise until your Meeting after next Adjournment.'

February 1, 1750. JAMES HAMILTON."

The Governor also sent down the Bill for the more effectual preventing Accidents which may happen by Fire, and for suppressing Idleness, Drunkenness, and other Debaucheries, with some Amendments, which were read, and agreed to by the House.

The Governor also sent down the Bill for amending the Law relating to the Probate of Wills within this Province, with the following Message, *viz.*

GENTLEMEN,

I Have, with the utmost Care and Attention, considered the Bill now before me, entituled, *An Act for Amendment of the Law relating to the Probate of Wills within this Province;* and on perusing the Clause of the Royal Charter, which authorizes the Proprietary, his Heirs, and their Deputies and Lieutenants, to appoint and establish any Judges, and Justices, Magistrates and other Officers, whatsoever, for what Causes soever, for the Probate of Wills, and the granting of Administrations within the Province, and with what Power soever, and in such Form as to the said Proprietary, or his Heirs, should seem most convenient; and the Acts of Assembly of the Fourth and Tenth of Queen *Anne*, recited in the Preamble to the Bill; am of Opinion, that a Law of this Kind is unnecessary, and may be attended with dangerous Consequences to the present and future Rights, Properties and Estates, of the Inhabitants of the Province, for the following Reasons.

1. Such a Law is unnecessary, because the Royal Charter giving Power to the Proprietary, to appoint Judges and Officers, for what Causes soever, and with what Power soever, for the Probates of Wills, *&c.* and the Acts of the Fourth and Tenth of the Queen, directing the Modes of such Probates, even in Case of Litigation, sufficiently provide for the Probates of Wills, as well concerning real and personal Estates, which is manifest, not only, by constant Usage since the making those Laws, by by all Acts, both Legislative and Judicial, since the Settlement of the Province.

11. Were it otherwise, this Bill would prove an incompetent Remedy, because by the Law of our Province, Wills proved in *England*, the neighbouring Provinces, or elsewhere, before such as have the Power to take Probates of Wills, and grant Letters of Administration, are sufficient to pass and assure Lands, in this Province, without further Proof.

111. The Declaration in the first and second Pages of the Bill, that the Powers granted by the Acts of the Fourth and

Tenth of the Queen, to the Register General, being limited to those granted by the Royal Charter, can relate to the Probate of Wills concerning personal Estates only; if true, (which must be admitted, should the Bill become a Law) would effectually subvert all Estates real, depending on Probates made since, and as under the Royal Charter and those Laws. For if the Register General had no Power to take the Probates of Wills, concerning real Estates, all his Probates of Wills as to such Estates are void; and the Devises, and those claiming under them, must lose their Estates, unless the Witnessess are present to prove the Wills, according to the Directions of this Bill.

IV. The Generality of the Words in the Beginning of the third Page, *viz.* "When at any Time after the Publication of this Act, any Writing shall be exhibited, &c." will admit the Exhibition of Writings, heretofore adjudged void, according to the Laws now in being, which would be highly inconvenient, in regard to the stirring up Strifes and Suits, the Alteration there may be in the Testimony, by the Deaths, or Absence of Witnesses, and the Subversion of Estates, settled in and under the Heirs at Law.

V. In the third Page of the Bill are these Words, "Whereby any Lands, Tenements or real Estate, within this Province, is devised." Here, may not a Fact be uncertain, which the Bill supposes will be always evident, (to wit) whether Lands, Tenements, or real Estate, are devised? For Instance, devising all a Man's Estate, will pass the real; and yet as from the Will, it cannot appear whether he died seized of Lands; that must be a Fact unknown, of which the Bill has established no Mode of Trial, notwithstanding the Validity of the Proceedings in the Court of Law, and of the final Sentence, depend upon it. Again, suppose a Man should devise real Estate in the Province, and have none, would not such a Devise, improperly, within the Intent of the Bill, draw the Jurisdiction from the Register to the common Law Court?

VI. It is observable, on these Words, in the same Page, "Or where the personal Estate thereby bequeathed shall exceed One Hundred Pounds," that it may be questioned whether they mean One Hundred Pounds in Specie, or Chattels to the Value of One Hundred Pounds; the same Reason subsisting, to enact the like Mode of Trial for one, as for the other. If the latter, how is the Value of the Chattels to be ascertained? Again, Suppose a Man having given particular Legacies under One Hundred Pounds, bequeaths the Residue of his personal

Estate, how is the Residue to be ascertained, or the Value known? If a Man bequeaths his personal Estate generally, how are the Register and Justices to determine what it consists of, or the Value?

VII. In the fifth Page of the Bill there is a saving Clause to Infants, married Women, Persons out of the Province, or of unsound Mind and Memory, their Rights to sue and implead, in the same Manner, concerning the Validity of the said Wills. Under this Clause, the Interest of Purchasers under Devisees and Heirs, upon Wills decreed valid, or invalid, must be extremely precarious. But it seems to me, to render the Office of an Executor or Administrator very dangerous. The Law, on Payment of Legacies or distributary Portions, authorizes the Executor or Administrator only to demand Bonds, to indemnify against latent Debts. Immediately, on the Tender of such Bonds, they ought to pay the Legacies or Portions, and if they refuse, the Law will oblige them, with the additional Charges of Interests and Costs: And yet upon this Clause, they may be compelled, on a second Sentence's differing from the first, to pay the whole Estate to a new Executor, or Administrator, as the Case shall happen, although nothing can be recovered from those who received the Estate, though Absence, Death, Poverty, or other Disability. And the other saving Clause in the sixth Page, to all and every other Person and Persons, who may think him, her or themselves aggrieved, their Rights by Appeal, Writs of *Certiorari*, Writs of Error, or other Writs, as they shall be advised to be made returnable to the Supreme Court of this Province, *&c.* is liable to the same Objections, but is more dangerous with regard to the Consequences, as those Writs may be brought without Limitation of Time.

For these Reasons I cannot pass this Bill into a Law.

February 1, 1750. JAMES HAMILTON."

A Bill to encourage the Establishing of an Hospital for the Relief of the sick Poor of this Province, and for the Reception and Cure of Lunatics; was read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Ordered, That the following Message be sent up to the Governor by *Evan Morgan* and *William Clymer*, viz.

May it please the GOVERNOR,

WE have read and considered the Governor's Message upon our Bill, for regulating the Nightly Watch, *&c.* and are much

pleased to find how sensible he is 'of many Dangers the Inhabitants of the City of *Philadelphia* are exposed to by the Darkness of their Streets, and the Want of a well regulated Watch in the Night, of the earnest Desires of the Inhabitants, and of our good Intentions to provide for their speedy Relief:' This induces us to hope the Governor, upon mature Consideration, will be pleased to pass our Bill; as on our Parts, we have endeavoured to answer the Desires of the Inhabitants of this City, as nearly as might be, in Conformity with the Prayers of their Petition, upon which the Bill was originally founded. But we are deeply affected with the Apprehensions the Governor entertains, 'that the Provisions in the Bill which relate to the Properties, and may essentially affect the Liberties of the Inhabitants of the Province, resorting to the City, are such as we have had no Experience of, and seem in many Instances to deviate from the Laws of our Mother Country in the like Cases.' In forming of this Bill, we have constantly had in View the Method prescribed by our Laws for raising County Rates and Levies, because, on long Experience, we have found them to give general Satisfaction to the Inhabitants of this Province, and effectual in discharging the publick Debts with Honour: We are not sensible of any material Difference in this Bill, unless the Inhabitants of the City of *Philadelphia*, by any Misfortunes peculiar to themselves, must be precluded from that Benefit which every other Part of the Province has a Right to. And should we in any Instance 'seem to deviate from the Laws of our Mother Country in like Cases,' we hope, on Examination, they will appear neither to contradict nor vary from them, farther than our Charters and our Laws warrant us, in order to make them more suitable to the Circumstances of this Province.

The Necessity of an immediate Provision for securing the Inhabitants of the City from their Fears, and the great Dangers they are liable to continually, for Want of a sufficient and regular Watch in the Night, call upon us to become earnest Solicitors with the Governor, that he would be pleased to give the Bill now lying before him all the Dispatch the Circumstances of these unhappy Times require.

Signed by Order of the House,

ISAAC NORRIS, Speaker."

The Governor sent down, by his Secretary, a Letter he had just received from Governor *Clinton*, of *New-York*, relating to *Indian* Affairs.

The Gentlemen return and report, that they waited on the Governor and delivered the Message of the House according to Order.

Then the House adjourned to the *Second-day* of the next Week, at Three o'Clock, *P. M.*

The House met pursuant to their Adjournment.

The Treasurer attending called in, and acquainted the House, that he had lately visited *John Hall*, Collector of *Bucks* County, who hath been some Time sick; and that he thought it necessary the said Collector should either appoint a Deputy, or that some other Measures should be taken to secure the publick Interest in that County during his Indisposition. He also laid some Papers relating to the Excise of that County before the House, and then withdrew.

The Papers relating to the Excise Office in *Bucks* County, were referred to the Committee on Publick Accounts.

The Governor's Message on the Bill relating to the Probate of Wills, was again read:

Ordered, That *Israel Pemberton*, *John Smith* and *Joseph Fox* be a Committee to prepare a Draught of an Answer to the same, and report it to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from sundry Freeholders of the Province, setting forth, that in the Month of *August*, when the Fawns are small, many idle Persons, who could find better Employ in the Harvest, lurk about the Creeks to hunt, and by killing the Does, occasion the Fawn to be stinted in their Growth; and that in *December*, when the Freeholders have generally most Leisure to hunt, and the Deer as good as at any Time, they are forbid by the late Act; and therefore praying that the Act relating to the killing of Deer, may be amended, by limiting the Time from the first of *September* to the first *January*, and laying a Penalty of Five Pounds for every Deer killed in any other Month; was presented to the House and read, and *Ordered to lie on the Table.*

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported, the same to the House, and it was read by Order, and considered, and after some Amendments, ordered to be transcribed, that it may be sent to the Governor.

Then the House adjourned to Three o'Clock, *P. M.*

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

THE Manner in which the Bill *for regulating the Probate of Wills*, was recommended to the last Assembly, 'as a Bill proper to be considered at a Time of more Leisure, when the House could give it all the Attention an Affair of such Importance required,' induced us to hope that at this Time, when we have all the Leisure and Willingness necessary to finish this Bill, the Governor would have 'proposed such Clauses to be added, or have altered it so as to avoid any Inconveniencies, which he might apprehend would arise from the Bill as it stood, and not incur others.' But if the Governor supposes the Reasons he has been pleased to send us, are decisive, we beg Leave to declare our Sentiments, upon such of them as relate to the Powers of the Register General or his Deputies, with such Justices as he may call to his Assistance, by Virtue of our Acts of Assembly, to judge of the Validity of last Wills made concerning Lands only, or such Wills as concern Lands and Goods, that they are, as far as regards the Lands, not only against the Words and Intentions of those Acts, but directly repugnant to the Laws of *England*.

We hope when the Governor considers the dangerous Consequences of trusting such Powers in the Hands of the Register General and his Deputies, as in a great Degree subjects the last Will of every Inhabitant of this Province to their Decision, he will excuse our earnest Desires to be heard upon this Occasion, as becoming us with regard to himself, and our incumbent Duty to our Constituents.

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Edward Warner* and *Joseph Trotter* wait upon the Governor with the same, and desire to know when the House may expect his Result on the Bills now before him.

The Gentlemen return and report, that they had waited on the Governor, and delivered the Message of the House according to Order, and that the Governor was pleased to say, the Bills now before him should be sent to the House To-morrow Morning.

It being represented to the House by several Members who brought in the Bill to encourage the Establishing of an Hospital for the Relief of the sick Poor of this Province, and for the Reception and Cure of Lunatics, that there is a

charitable Disposition among many of the Inhabitants, to give largely towards such an Hospital, if this Bill should pass;

Ordered, That the Bill be now read a second time.

Ordered, That Candles be brought in.

And the Bill was accordingly read the second time, and debated, and ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Conrad Weiser attending the House, was called in, and several Questions put to him concerning the Presents to be made to the *Indians*, which he answered, and then was desired to go immediately over to *Cumberland* County, and forward the Goods lying there to *Ohio*, that the *Indians* may have the Presents intended them as soon as possible.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor sent down the Bill for regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the said City, and for raising of Money on the Inhabitants of the said City for defraying the necessary Expences thereof, with some Amendments; And the Bill for erecting Houses of Correction, and Work-houses, in the Counties of *Lancaster*, *York* and Cumberland, within this Province, with some Amendments, which were read.

And the House considering the Amendments proposed to the Bill for erecting Houses of Correction, and Work-houses in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, after some Time spent therein,

Ordered, That *James Wright*, *John Wright* and *Joseph Armstrong* carry up the Bill again to the Governor with this Message, 'That the House having considered the Governor's Amendments to the Bill for erecting Houses of Correction, and Work-houses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, are of Opinion, that the Bill as it now stands is well suited to the Circumstances of those Counties, that the Governor's Amendments will wholly alter the Design thereof, and therefore the House adheres to the Bill.'

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed Yesternight to wait on the Governor with the Bill for erecting Houses of Correction, and

Work-houses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, and the Message of the House, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would consider it.

The Governor, by his Secretary, sent down the Bill for erecting Houses of Correction, and Work-houses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, with a Message, 'That he is sorry he differs in Sentiment from the House, with regard to that Bill; but as the Amendments by him proposed are the Result of his Judgment, after mature Consideration of the Bill, he cannot therefore recede from them.'

The Governor also sent down the following Message in Writing, *viz.*

GENTLEMEN,

'WHEN I sent the last Assembly the Message mentioned in your's of the Fifth Instant, although I saw many Inconveniences attending the Bill for regulating the Probate of Wills, then before me, yet I was unwilling to refuse my Assent to it, without that due Consideration which I shall ever have, of Matters coming from the Representatives of the Province of *Pennsylvania*. I have since considered it with the utmost Care, and as the Bill lately sent down to you is essentially the same, I have given you my Reasons why I cannot pass the latter into a Law, and am not capable of saying more upon the Subject.

February 7, 1750. JAMES HAMILTON."

The House considered the Amendments proposed by the Governor to the Bill for the better regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the said City, and for raising Money on the Inhabitants of the said City for defraying the necessary Expences thereof; to some of which they agreed, and in others adhered to the Bill.

Ordered, That *William Clymer* and *Joseph Fox* carry up the Bill again to the Governor, with an Account of the Amendments agreed to by the House.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to carry up the Bill for regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the said City, and for raising of Money on the Inhabitants of the said City for defraying the necessary Expences thereof, to the

Governor, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would give it all the Dispatch he could.

The Petitions relating to a Bridge over the River *Schuylkill* were again read;

Ordered, That *Israel Pemberton*, sen. *Thomas Leech*, *Peter Dicks*, *Hugh Roberts*, *Edmond Woolley* *Jacob Lewis*. *Casper Wistar*, *Charles Norris*, *Samuel Rhodes* and *Benjamin Franklin* be appointed to view the River *Schuylkill*, and consider where a Bridge over that River may be most conventiently built, and estimate the Charge thereof; and report thereon to this House; and if the Petitioners or any other communicate to them any Papers of Subscription towards the Expences thereof, they are to lay the same before the House.

The Bill to encourage the establishing an Hospital for the Relief of the sick Poor of this Province, and for the Reception and Cure of Lunatics, being transcribed, was again read.

Resolved, N. C. D. That the Bill do pass.

Ordered, That *Israel Pemberton* and *John Smith* carry up the same to the Governor, and desire his Concurrence: And they are farther to acquaint the Governor, that the principal Part of the Business of this Session now lying before him, the House hopes he will give it all the Dispatch he can.

Ordered, That the Minutes of Assembly, from the first Settlement of this Province, he printed with all convenient Speed, under the Care and Direction of the Speaker, Fifty Copies thereof to be in the Disposal of the House.

The Gentlemen appointed to wait on the Governor with the Bill and Message of the House, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would give what Dispatch he could to the Business before him; and would send a Message to the House concerning the Watch-Bill To-morrow Morning.

Ordered, That the Treasurer pay such Draughts for the Charges of carrying the *Indian* Goods to *Ohio* as shall be drawn or allowed by *Conrad Weiser*, Esq; not exceeding in the Whole the Sum of *Two Hundred Pounds*.

Resolved, That the House will adjourn this Week, to the first *Second-day* of the Week in the next *3d Month*.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, sent down the Bill, for the better regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and

Alleys of the said City, and for raising of Money on the Inhabitants of the said City and for defraying the necessary Expences thereof; with a Message that he withdraws those Amendments that are not agreed to by the House.

The Secretary was directed to provide more exact Lists of all the Publick Houses in this Province, to be laid before the House at the next Sitting. And then withdrew.

The Governor's Message of the 19th past, on *Indian* Affairs, was again read, and considered.

Ordered, That *John Smith*, *Israel Pemberton*, *Edward Warner*, *William Clymer*, *Mahlon Kirkbride*, Henry *Hockley*, *Calvin Cooper*, *John Wright* and *Hermanus Alrichs* be a Committee to prepare a Draught of an Answer to the Governor's Message, and report it to the House.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House; and it was read, approved, and ordered to be transcribed, that it may be sent up to the Governor.

And being accordingly transcribed, it was again read, and follows in these Words, *viz.*

May it please the GOVERNOR,

WE have taken into our serious Consideration the Governor's Messages concerning *Indian* Affairs, with Governor *Clinton's* Letters, and the other Letters and Papers therein referred to; and being fully convinced that these Matters are of such Importance as to deserve our Care and Attention, we have concluded to meet again some Weeks before the Time proposed by Governor *Clinton*, for the Treaty with the *Indians* of the *Six Nations* at *Albany*, in order that we may then be more fully informed of the Affairs of the *Indians* in our Alliance, and may consider what may be fitting for us to do, with regard to them, and whether it will be necessary for us to bear a Part in the said Treaty.

As the Money voted at our last Sessions for a Present to the *Indians* at *Ohio*, was soon after laid out in Goods proper for them, we have (in order to expediate their being sent forward as soon as possible) enjoined *Conrad Weiser* to go over *Sasquehannah*, and agree for their Carriage, and carefully to observe such Directions as the Governor may be pleased to give him for that Purpose, and the Provincial Treasurer to discharge such Sums, as he may contract to pay for the Charges of conveying those Goods to *Ohio*.

The Regard and Concern expressed by the Governor on this Occasion is very grateful to us, and engages us fully to confide in his Assurances of Performing what we may hereafter request him to do therein, for the Interest of the Province.

And the Message being signed by the Speaker by Order of the House;

Ordered, That *Mahlon Kirkbride* and *Henry Hockley* wait upon the Governor with the same; and acquaint him, that the House inclines to adjourn To-morrow to the sixth Day of the next *Third Month;* that they have agreed to his Amendments of all the Bills, which will be engrossed ready for Examination To-morrow Morning; and farther, that the House desire to know his Result on the Bill now before him.

The Committee appointed to inspect the Accounts of the Excise in *Bucks* County, made their Report in Writing, which was read, and follows in these Words, *viz.*

PURSUANT to the Order of the House, we have examined the Accounts of the Collector of Excise for the County of *Bucks*, of the Entries of strong Liquors made in his Office, since the Time of his Appointment; and do find, that the Sum due to the Province (including the Debts due at the Decrease of the former Collector) amounts to *Two Hundred Pounds* and upwards, the greater Part of which Sum ought to have been paid into the Treasury long since; and as it appears to us, that the Publick Interest has suffered for Want of due Care in the Management of the said Office, we are of Opinion, that all the Tavern-keepers, and other Retailers of strong Liquors in the said County, should be immediately visited, in order that the House at their next Meeting may consider on some more effectual Measures to prevent a further Loss to the Province, in that Branch of the Publick Revenue. Which is nevertheless submitted to the House.

ISRAEL PEMBERTON, EVAN MORGAN,
EDWARD WARNER, MAHLON KIRKBRIDE.
JOSEPH FOX, THOMAS CUMMINGS."
JOHN SMITH,

Resolved, That *John Hall* be removed from the Office of Collector of Excise for the County of *Bucks*.

Resolved, That *John Woolston* be Collector of the Excise for the said County, in the Room of *John Hall*.

The Gentlemen return and report, that they had waited on the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say,

he would appoint two Members of his Council to join a Committee of the House, in examining the Bills To-morrow Morning; that he had no Objection to the proposed Time of Adjournment; that it was impracticable for him in so short a Time to consider the Bill duly that is now before him, but he will send his Sentiments thereon to the House at their next Sitting.

Ordered, That *Israel Pemberton* and *John Smith* be appointed to join the Committee of Council in comparing the engrossed Bills.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to join with the Committee of Council, in examining and comparing the engrossed Bills, report, they find them to agree with their Originals.

Ordered, That *Joseph Gibbons* and *Joseph Hamton* wait on the Governor, and acquaint him, that the Bills have been examined by the Committees of this House and of the Council; and desire to know what Time he will appoint that the House should wait on him, in order to the passing the same into Laws.

The Gentlemen return and report, that they waited on the Governor, and delivered the Message of the House, according to Order; and that the Governor was pleased to say, he would be ready to receive the House in the Council Chamber in Half an Hour.

Resolved, That *Six Hundred Pounds* be now given to the Honourable JAMES HAMILTON, Esq; Governor of this Province, in Part of his Support for the current Year.

And an Order was accordingly drawn on the Treasurer, and signed by the Speaker, by Order of the House, for Payment of the same.

Ordered, That *Israel Pemberton* and *John Smith* see the Great Seal affixed to the Laws after they are passed, and the same deposited in the Rolls-Office.

The Committee appointed to inspect the Laws relating to Ferries, made their Report in Writing, which was read, and follows in these Words, *viz.*

WE have, according to the Order of the House, examined the Laws of this Province, and find that the *Act for establishing a Ferry over* Schuylkill, *at the End of the* High Street *of Philadelphia*, is still in Force, and that all the other Laws concerning Ferries, are long since expired; and that the

Rates or Prices of Ferriage are not yet settled by any Laws now in Force, which we conceive may in Time be prejudical to the Interest of the Province.

ISRAEL PEMBERTON, junior, CALVIN COOPER,
WILLIAM CLYMER, JOHN WITHEROW,
GEORGE ASHBRIDGE, JOSEPH ARMSTRONG."
JOSEPH TROTTER,

A Message from the Governor, by the Secretary, *viz.*

Mr. *Speaker*,

'The Governor is now ready to receive the House in the Council Chamber, in order to enact into Laws such Bills as have passed the House with his Concurrence.'

Then the Speaker with the whole House waited on the Governor.

The House being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor with the following Bills, *viz.*

An ACT *for explaining and ascertaining the Boundary Line between the Counties of* York *and* Cumberland, *in the Province of* Pennsylvania.

An ACT *for the more effectual preventing Accidents which may happen by Fire; and for suppressing Idleness, Drunkenness, and other Debaucheries.*

An ACT *for the better regulating the Nightly Watch within the City of* Philadelphia, *and for enlightening the Streets, Lanes and Alleys of the said City, and for raising of Money on the Inhabitants of the said City, for defraying the necessary Expences thereof.*

To which the Governor was pleased to give his Assent, by enacting the same into Laws.

That the Speaker had also presented the Governor with the Order on the Treasurer, for which he was pleased to thank the House.

The Consideration of the Papers relating to the Repeal of the several Acts of Assembly for imposing a Duty on Persons convicted of heinous Crimes, &c. is referred to the next Sitting.

It being represented to the House, that the Clerk of the Loan-Office hath neglected to record the Mortgages for some Time past, and to give Copies of them to the Mortgagors;

Ordered, That the Trustees of the Loan-Office take Care that the Laws relating to the Loan-Office be punctually observed for the future.

Ordered, That the present Collector of *Bucks* County do immediately visit all the Retailors, *&c.* in that County, and take Care to see that the Excise Act be more effectually executed.

Then the House adjourned to the sixth Day of the next *Third Month.*

THE House met pursuant to their Adjournment.

Ordered, That *Edward Warner* and *Joseph Fox* wait upon the Governor, and acquaint him, that the House is met pursuant to their Adjournment, and ready to receive any Thing he may have to lay before them.

The House being informed, that *William Clymer*, one of Representatives of the City of *Philadelphia*, is deceased;

Ordered, That an Order issue under the Hand of the Speaker, to the Secretary of the Province, requiring him to issue a Writ to the Sheriff of *Philadelphia*, for electing a new Member to serve in Assembly for the said City the present Year.

A Petition from *Joseph Redman*, Collector of the Excise for the City and County of *Philadelphia*, praying to be continued in that Office; was presented to the House and read, and

Ordered to lie on the Table.

A Petition from sundry Inhabitants of *Philadelphia* and *Chester* Counties, setting forth, that they, or some of their Ancestors, had at the early Settlement of this Province, purchased Lands therein, which at that Time were well watered by the several large Creeks and Rivulets passing through them; but of late Years, there being many Settlements made upon those Creeks to their Spring Heads, the Owners thereof had, either for their own Advantage, or worse Ends, raised the Water to its utmost Height, and turned it over so much of their own Lands, that it was become entirely sunk, and its natural Course or Bed rendered dry; whereby the Petitioners, at Times, became destitute of Water on their Lands for the Necessities of Life; and particularly in the late dry Summers have been great Suffers thereby. For remedying which Inconveniences, they humbly pray, this House would take their Case into Consideration, and grant them such Redress as they shall see meet; was presented to the House and read, and

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they waited on the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say, he would send a Message to the House this Morning.

A Petition from a great Number of the Back Inhabitants of *Philadelphia* County, and the adjacent Parts of *Chester*, *Lancaster* and *Bucks* Counties, setting forth, that by their remote Situation from their respective County Town (where the Courts of Public Offices are kept) they are put to such extraordinary Expences of Money and Time in their long Journeys thither, as Parties in Causes, Witnesses, Jurymen, Constables, *&c.* that their Burthen on that Account is almost double to what those bear, who are so fortunate as to live within a convenient Distance of their County Town; that their being at a great Distance from the Metropolis of the Province, and the Charge of Carriage of their Produce to the Market, makes the Burthen still more heavy upon them; that as the other remote Inhabitans of the Province, who were lately in the same Circumstances, have obtained Laws to have new Counties erected, they are encouraged to expect the the like Favour, therefore humbly pray, that this House would take their Case into Consideration, and grant them a Law for erecting them into a distinct County, of such Extent and in such Manner, as to their Wisdom shall seem meet; was presented to the House and read, and

Ordered to lie on the Table.

A Petition from sundry Inhabitants of *Chester* County, was presented to the House and read, setting forth, that by an Act of Assembly made in the Twenty-third Year of the present Reign, entituled, *An Act against killing Deer out of Season*, it was enacted, 'That no Persons within this Province, should kill or destroy and Deer whatsoever, at any other Time but between the first Day of *August*, and the first Day of *December*, under the Penalty of Paying the Sum of *Forty Shillings*;' that the Petitioners conceive that the said Act is, and will be of great Disadvantage to them, as they, having Plantations to take Care of, are obliged to feed their Land, fence their Fields, make Cyder, *&c.* so cannot take Time to hunt in the Beginning of the Fall, and no Snow falling till the latter End of *November* and *December*, which is the general Time for hunting Deer with the Plantation Men, the Deer being then known to be very good and in Season; that they therefore pray that the said Act may be amended, and the Time for hunting and killing Deer be made according to an

Act of Assembly of this Province, made in the Eighth Year of the late King GEORGE the First; and as several dissolute and unqualified Persons have hunted out of Season, and contrary to the express Tenor of the said Acts; that the Fines may be raised and augmented in such Manner as to this House shall seem met. *Ordered to lie on the Table.*

A Petition from *Thomas Millhouse*, of *Chester* County, praying to be appointed Collector of the Excise for that County was presented to the House and read, and

Ordered to lie on the Table.

The Governor, by his Secretary sent down a written Message to the House, with several Papers therein referred to, which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

'I Was very well pleased with your Resolution signified to me at the Close of the last Session, to adjourn to the Beginning of this Month, in order that you might be the better enabled to consider, from such Intelligence as might then be given you, what Measures it might be proper for you to take with regard to *Indian* Affairs.

'I have since received a Letter from Governor *Clinton*, acquainting me, that by Advice of his Council, he has postponed his meeting the *Six Nations* at *Albany* to the Twenty-fifth of next Month, to give the several Governors he has applied to on that Occasion, more Time to consult their respective Assemblies on an Affair of so much Importance; desiring further, that if I have any Proposals to offer in Consequence of any Resolves to be made by you, that I should impart them as soon as possible; wherefore, if any such should occur that you think necessary to be settled, previous to the said Treaty, you will please to communicate them to me with all convenient Dispatch, and you may assure yourselves of my Readiness to concur with you in what ever may tend to the Interest of the Province.

'Mr. *Croghan* having been lately in Town from *Ohio*, related to me the Intelligence contained in the Paper herewith laid before you; which for its Importance very well deserves, and I earnestly recommend to, your most serious Attention. He is now returned to *Ohio*, in order to deliver the Provincial Present to the *Indians* there, about the Middle of this Month.

'If any Thing new had happened in the Countries contiguous to *New-York*, I am persuaded Governor *Clinton* would have communicated it to me; but as he has been altogether silent on that Head, I conclude there has been no Alteration of

Affairs there since your last Session; I have therefore now only to desire you to revise the Contents of the Paper then laid before you, and to come to such Resolutions thereupon, as may enable me to do what is becoming this Government.

"The *Six Nations*, whose Example will be followed by all other *Indians*, seem to be actually afraid of the *French;* and though their Affections are manifestly in Favour of the *English*, yet if they find no Support from them, sufficient to dispel these Fears, it must be expected they will be obliged to quit our Interest, and depend on those who will afford them better Protection.

"This is the Light in which I see Matters at present; and should you concur with me in Settlement, I make no doubt but your Resolves will be answerable to the Exigency of Affairs.

May 7, 1751. JAMES HAMILTON."

The Secretary also delivered compleat Lists of the licenced Public Houses in this Province, and of such as were recommended for Licences.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by his Secretary, sent down the Bill for encouraging the Establishment of an Hospital for the Relief of the sick Poor of this Province, and for the Reception and Cure of Lunatics, with some Amendments, which were read, and considered; to some of which the House agreed, but in others adhered to the Bill.

Ordered, That *Israel Pemberton* and *Joseph Fox* carry up the Bill again to the Governor, and acquaint him, that the House have considered his proposed Amendments, and agreed to all save two, in which they adhere to the Bill.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Bill and Amendments, report, that they delivered the same according to Order.

The Governor's Message was again read, and considered, with the Papers therein referred to;

Ordered, That *Israel Pemberton* and *Edward Warner* wait on the Governor, and acquaint him, that the House have considered his Message, and the Papers that accompanied it, and observe by a Paper of *George Croghan's* that a Treaty has been entered into with two Nations of *Indians* by the said

Croghan and *Andrew Montour;* and desire to know whether the same was done by Virtue of any Instructions from the Governor, or with his Authority.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen return, and report, that they waited on the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say the Treaty made by *Croghan* and *Montour* with the *Indians* was without his Knowledge or Direction, nor did he approve of their Conduct therein; but as he believed they intended well in what they had done, he had not expressed his Sentiments concerning it in his Message to the House.

Conrad Weiser, Provincial Interpreter, attending the House, was called in, and acquainted the House, that, according to their Order, he went to *Cumberland* County, and agreed for transporting the Goods to *Ohio*, but could not get it done for less than *Two Hundred and Thirty Pounds*. And after having answered such Questions concerning *Indian* Affairs as the House thought fit to ask him, he withdrew.

The Governor, by his Secretary, returned the Bill for establishing of an Hospital for the Relief of the sick Poor of this Province, and for the Reception and Cure of Lunatics, with a Message, that he withdraws his seventh proposed Amendments, but adheres to the ninth.

And the House, after Consideration, agreed to the said ninth Amendment.

Ordered, That the Bill be engrossed with the Amendments.

The Governor's Message was again read, and considered.

Ordered, That *Israel Pemberton*, *Joseph Fox*, *Abraham Chapman*, *Thomas Cummings*, *James Webb*, *John Witherow*, and *Joseph Armstrong* be a Committee to prepare a Draught of an Answer to the said Mesaage, and report it to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Ordered, That the Lists of the Public Houses delivered by the Secretary, be referred to the Consideration of the Committee of Grievances, and that *Joseph Fox* be added to that Committee in the Room of *William Clymer*, deceased.

A Petition from *John Potter*, High Sheriff of the County of *Cumberland*, was presented to the House and read, setting forth, that he has been at great Trouble and Expences in maintaining *Samuel Saunders*, who was committed to his Custody for the Murder of *Simon Girtay;* also in conveying him from

Conegochieg to *Philadelphia*, by Order of the Chief Justice; a particular Account whereof, he has annexed to his Petition, and prays this House would allow the same.

Ordered to lie on the Table.

A Petition from the Grand Jury of *Cumberland* County, in Behalf of the said County, was presented to the House and read, setting forth, that they labour under extreme Difficulties, by Reason of the large Fees granted to Sheriffs, Attorneys at Law, Clerks, Constables and other Officers, which Fees are for the most Part paid by the poorer Sort of People, whereby they are oppressed even to the Ruin of many poor Families; that they presume all such Officers would have an honourable Reward for their Service, although the Fees were much lowered; therefore pray this House would consider the Premises, and grant the Petitioners Relief thereon. *Ordered to lie on the Table.*

A Petition from *Catherine Cox* was presented to the House and read, setting forth, that she is a poor Widow, with seven small Children, and that about four Years ago, the *Indians* going by her House did kill a Bull belonging to her, of the Value of *Three Pounds;* that she gave in an Account thereof to Mr. *Smout*, along with other Damages done to her Neighbours, which were all paid except her's; therefore prays this House would take her Case into Consideration, and made her such Allowance as shall seem reasonable.

Ordered to lie on the Table.

The House taking into Consideration the Papers relating to the Repeal of the Act, *for imposing a Duty on Persons convicted of heinous Crimes*, &c.

Ordered, That *John Smith*, *Joseph Fox*, *John Woolston*, *Thomas Cummings* and *James Wright* be a Committee to consider the same, and report thereon to the House.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read by Order, and considered, and, after some Amendments, ordered to be transcribed that it may be sent up to the Governor.

And being accordingly transcribed, it was again read, and follows in these Words, *viz.*

May it please the GOVERNOR,

WE have considered the Governor's Message concerning *Indian* Affairs, and the several Letters and Papers therein mentioned, with that Attention the Importance of them re-

quires, and are very sensible of his Care and Concern to confirm and extend our Interest with our *Indian* Allies.

As we find there is no late Intelligence of a material Change in the State of these Affairs; we hope the Presents lately sent to the *Indians* at *Ohio* will be received by them as Proofs of our Friendship, and may (if properly distributed by the Persons appointed to deliver them) have the desired good Effect of confirming them in their Alliances with us. We doubt not the Governor has given the Necessary Instructions to those who are intrusted therewith, and as the Interest of the Province is essentially concerned in the Conduct of the Persons employed on these Occasions, we shall readily concur with the Governor, in any Measures necessary to prevent them from entering into any Engagements further than his Instructions shall warrant.

As we do not apprehend our joining in the intended Treaty at *Albany* to be necessary at this Time; we request the Governor to direct *Conrad Weiser* to meet the *Six Nations* there, with the small Present provided for them, and a Message of Condolence on the Death of *Canassatego*, and their other Chiefs, who were our steady Friends; and if on the Intelligence we may receive at our next Meeting, any further Measures should appear to us proper to enter into, we shall chearfully concur in doing what may be most conducive to the Peace and Tranquility of the Province.

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Israel Pemberton* and *James Wright* wait upon the Governor, and deliver the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same according to Order.

Resolved, That the House will To-morrow adjourn to the Twelfth of the next *Sixth Month*.

Ordered, That *Joseph Trotter* and *Joseph Fox* wait upon Governor, and acquaint him, that the Bill *for establishing an Hospital for the Relief of the sick Poor of this Province, and for the Reception and Cure of Lunatics*, is engrossed, with the Amendments agreed on, and request that he will be pleased to appoint one of his Council to join with a Member of the House in comparing the engrossed Bill with the Original; and desire to know when he will be pleased to receive the House, in order to enact the same into a Law. And farther

they are to acquaint the Governor, that the House propose to adjourn To-morrow to the Twelfth of the next *Sixth Month*, if he hath no Objection to that Time.

The Committee appointed to consider the Papers relating to the *Acts for imposing Duties on Persons convicted of heinous Crimes*, &c, report, that they are of Opinion it may be necessary to repeal the Act passed in the Twenty-third Year of the present Reign, entituled, *A Supplement to the Act*, entituled, *An Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province;* which they nevertheless submit to the House.

The Gentlemen appointed to wait on the Governor, return and report, that they waited on him, and delivered the Message of the House according to Order; and that the Governor was pleased to say, he would appoint a Member of his Council to join with a Member of the House in comparing the Bill, at Ten o'Clock To-morrow; that he will receive the House at Eleven in the Council Chamber, in order to pass it into a Law; and that he hath no Objection to the proposed Time of Adjournment.

Ordered, That *Israel Pemberton* be appointed to join with the Member of Council, to compare the Bill.

The House allowed the Agreement made by *Conrad Weiser* for transporting the Goods to *Ohio*, and

Ordered, That the Treasurer pay on that Account the Sum of *Thirty Pounds* over and above the *Two Hundred Pounds* allowed at the last Sitting for that Service.

The Petition of *Catherine Cox* was again read, and referred to the Committee of Public Accounts.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Israel Pemberton reported, that he had with a Member of Council compared the engrossed Bill with the Original, and found them to agree.

Ordered, That *John Smith* and *Evan Morgan* see the Great Seal affixed to the Law after it shall be passed, and the same deposited in the Rolls Office.

A Petition from a great Number of Inhabitants of the Upper Parts of the County of *Bucks*, was presented to the House and read, setting forth, that by the Number of the Inhabitants, and the remote Extent of Settlements of the said County, from the present Seat of Judicature, they are extremely harressed and aggrieved whenever they have Occasion to make Application for obtaining Justice, and often choose to lose

their Right, rather than sue for it under such Circumstances; that many knowing this, are guilty of fraudulent and deceitful Practices, as well as other licentious Behaviour, which they durst not attempt, were the Petitioners erected into a County by themselves, and the Seat of Justice more easily to be come at; that they are encouraged to hope, that the same Justice, Equity, and Regard for the Good of the Public, which induced the late Assemblies to erect two new Counties for the Relief of the Inhabitants will (as their Case is the same) be extended to them; that they apprehend a Division Line run to the Southward from *Tohicken* Creek, to the Line of *Philadelphia* County, and from thence to the Northward by the common Line that divides *Philadelphia* County from *Bucks*, would be the most convenient Separation from the old County of *Bucks;* that it is with Concern for the Public, as well as with great Detriment to themselves, that they daily see the Produce of that Part of the Province carried over at the Point of the *Forks* of *Delaware* into the *Jerseys*, and from thence by Land to *Brunswick;* which is a private Loss, by the heavy Charges for Carriage, and a Provincial Loss, by so great a Share of the Produce going to a foreign Market; but all this they conceive might be thoroughly remedied, if there was a new County erected, and a proper Situation pitched upon for the Seat of Commerce and Justice; they therefore being conscious that what is here offered, is essentially connected with the Good of the Public in general, as well as of the Inhabitants in particular, do pray this House to grant them a speedy and effectual Relief in all the Premises.

Ordered to lie on the Table.

The Sheriff of the County of *Philadelphia* attending, was called in, and made a Return of a new Burgess chosen for the City of *Philadelphia;* but a Defect being observed in the said Return (for that it waa not signed by a full Number of Inspectors or Freeholders) he was ordered to get the same amended, and then withdrew.

A Message from the Governor, by the Secretary,

Mr. *Speaker*,

The Governor is now ready to receive the House in the Council Chamber.

Then the Speaker with the whole House waited on the Governor.

And being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor with the Bill, to *Encourage the establishing an Hospital for the Relief of the sick Poor of this Province, and for the Reception and*

Cure of Lunatices; to which the Governor was pleased to give his Assent, by enacting the same into a Law.

The Gentlemen appointed to see the Seal affixed to the Law that passed this Morning, report, that the same is done, and the Law deposited in the Rolls Office, according to Order.

Then the House adjourned to the Twelfth Day of the *Sixth Month* next.

THE House met, pursuant to their Adjournment.

Ordered, That *Joseph Trotter* and *Hugh Evans* wait upon the Governor, and acquaint him, that the House is met pursuant to their Adjournment, and ready to receive any Thing he may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed Yesternight to wait on the Governor with the Message of the House, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would send a Message to the House this Morning.

The Sheriff of *Philadelphia* having amended his Return, according to the Order of the House at the last Sitting, it was laid before the House and read;

And *Benjamin Franklin* being returned a Representative to serve in Assembly for the City of *Philadelphia*, he was qualified, and took his Seat in the House accordingly.

A Petition from *William Franklin* was presented to the House and read, praying to be appointed Clerk of this House.

A Petition from *James Read*, of *Philadelphia*, Notary Public, was presented to the House and read, praying to be appointed Clerk of this House,

Resolved, That *William Franklin* be Clerk to this House for the remaining Part of the current Year.

The House took into Consideration the State of the Acts *imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province.*

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Ashbridge* and *James Webb* be a Committee to prepare and bring in a Bill for repealing the Act, entituled. *A Supplement to the Act*, entituled, *An Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province*, passed in the Year 1749.

Then the House adjourned to Three o'Clock, *P. M.*

William Franklin took and subscribed the usual Qualifications as Clerk of this House.

The Governor, by his Secretary, sent down a written Message to the House, together with sundry Papers therein referred to, which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

'YOU will herewith receive Messieurs *Croghan's* and *Montour's* Account of their Proceedings at the Delivery of the Present, voted by you last Fall, to the *Indians* at *Ohio:* And I am in Hopes you will find it arrived very seasonably, and has had a good Effect.

'By the Speech inserted in Mr. *Crogan's* Journal (said to have been made by Monsieur *Joncaire* by Order of the Governor of *Canada*) to the *Indians* assembled in Council, and by a Letter of the said *Joncaire* to me, of the Sixth of *June* last, which I have ordered to be laid before you, you will perceive the Extensiveness of the *French* Claims on this Continent: That they are not content with enjoying the Benefits of a free and unmolested Commerce themseves, without making it at the same Time exclusive of all others; and to that Purpose, have used their utmost Endeavours to prevail on those *Indians* to drive away our Traders from amongst them, and to discontinue any further Intercourse with them, on Pain of incurring the Displeasure of the *French* Government. But as their Menaces have not as yet had the desired Effect, it is not unreasonable to suppose, that when the last Answer of the *Indians* upon that Head shall be reported to the Governor of *Canada*, it will put him upon Measures to obtain by Force, what has hitherto been denied to every other Kind of Solicitation, in which should he succeed, a very valuable Branch of Trade will be entirely lost to this Province. The *Indians* themselves are so apprehensive of the Consequences of their refusing to comply with the *French* Demands, that they have earnestly requested this Government to erect a strong Trading House on the River *Ohio*, for the protection of their Wives and Children, in case they should be obliged to engage in a War on that Account, and to serve likewise as a Place of Security to our Traders, without whose Assistance, they say they cannot live: And as I have it in Charge from the Honourable Proprietaries to recommend this Matter to you, and to make such an Offer of contributing to the Expence of erecting and supporting it, as I am persuaded you will think very generous; I cannot excuse myself from desiring you to give it a very serious Consideration, and to come

to such Resolution thereupon as the present favourable Opportunity seems to point out.

By a Letter herewith delivered you, which I have lately received from the Justices of *Cumberland* County, you will see that great Complaints are made of the Irregularities of many of the Persons concerned in the *Indian* Trade, and of the Difficulties that attend the bringing Offenders to Justice, in Countries so remote from the Inhabitants; whence it should seem our Laws in that Respect stand in Need of some Alterations or Additions, to render them effectual for the good Purposes intended by them. Whenever therefore you shall think fit to take that Subject into Consideration, I shall readily concur with you in any Measures that may tend to the better inforcing the Laws already in being, or in making such new Provisions as may be thought necessary for the more regular and orderly carrying on that Trade.

'Mr. *Croghan* has been at a considerable Expence in bringing some Criminals to their Trial, and in supporting the Witnesses on their Journey, of which he has delivered in his Account; which you will please to inspect and discharge.

Mr. *Montour* is expected in Town by my Order, to receive a Recompence for his Services, which, you will find, have taken up a great deal of his Time; and as I must do him the Justice to say that (by what appears to me) he has well performed what was intrusted to him, I hope you will pay him to his Satisfaction.

Mr. *Weiser* is likewise expected in Town, and will relate to you his Proceedings in the Execution of my Instructions respecting the Delivery of the Present to the *Six Nations* at *Albany*.

August 13, 1751. JAMES HAMILTON.'

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for repealing an Act, entituled, *A Supplement to the Act*, entituled, *An Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province;* was read the first time, and ordered a second Reading.

Sundry Letters from the Agent in *London*, relating to the Affairs of the Province, were by the Speaker laid before the House, and read.

Ordered, That the Treasurer pay to the Trustees of the Loan-Office, the *Two Hundred Pounds* remaining unpaid of the Thousand Pounds put into the Treasury by the second £30,000 Act.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That *Joseph Trotter*, *Edward Warner*, *Joseph Hamton*, *Thomas Cummings*, *Calvin Cooper*, *John Withrow* and *Hermanus Alrichs* be a Committee to inspect and settle the Accounts of the incidental Charges of the current Year.

The Governor's Message was again read, and considered, and the farther Consideration thereof referred to To-morrow Morning.

Ordered, That the Clerk give Notice to *Conrad Weiser* and *Andrew Montour*, to attend this House To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for repealing an Act, entituled, *A Supplement to the Act entituled an Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province*, was read a second Time, and ordered to be transcribed for a third Reading.

The Governor's Message was again read, and considered, and the farther Consideration thereof referred to the Afternoon.

Conrad Weiser and *Andrew Montour* attending according to the Order of Yesternight, were called in; and answered such Questions as were put to them, relating to the Present State of *Indian* Affairs, and then withdrew.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That *Israel Pemberton* and *Benjamin Franklin* do carry up the following Message to the Governor, *viz.*

May it please the GOVERNOR,

BY several Addresses from the Assemblies of this Province, and particularly by our Message of the Nineteenth of *October* last, the Reason we have to hope our Proprietaries will chearfully contribute towards the heavy Charges which are annually brought against the Province, on Account of *Indian* Affairs, will clearly appear: And as the Governor, in his Answer to our Message, was then so kind as to assure us of his Intercession with the Proprietaries, we now request he would be pleased to inform the House what Progress he has made on this our respectful and reasonable Application.'

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they had delivered the same according to Order; and that the Governor was pleased to say, he would send an Answer to the House.

Ordered, That *Israel Pemberton* be added to the Committee of incidental Charges.

The Bill for repealing an Act, entituled, *A Supplement to the Act*, entituled, *An Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province*, being transcribed, was read the third time.

Resolved, N. C. D. That the Bill do pass.

Ordered, That *George Ashbridge* and *Joseph Hamton* wait on the Governor with the said Bill, and desire his Concurrence thereto.

A Petition from the Commissioners and Assessors of *Cumberland* County, in the Behalf, and at the Desire of the far greater Part of the Inhabitants of the said County, was presented to the House and read, setting forth, that a Majority of the Trustees, in Pursuance of the Act of Assembly, whereby that County was erected, had made a Return to the Governor, of a Place at a Branch of *Connogochiego* Creek, about eight Miles from *Shippensburgh*, by the Great Road to *Virginia*, praying a Location for a Court-house and Prison there, and withal submitting *Shippensburgh* to the Governor's Choice, which they were fully persuaded would have quieted the whole County, although it be *North-east* of the Center; yet it has pleased the Governor to remove their Courts of Justice to *Le Tort's* Spring, a Place almost at one End of the County, there it seems intending the Location of a Court-house and Prison, to the great Grief and Damage of the far greater Part of the County, and by Means whereof the End of their being erected into a County can never be obtained; which was principally to free them from the very grievous Fatigue and Expense occasioned by their great Distance from *Lancaster;* from which they hoped to be eased, but instead of Ease their Yoke is likely to be heavier; for being but few in Number, it will be very expensive for them to erect and maintain a County, especially if they are laid under such Disadvantages as will ensue upon the placing of the County Town at *Le Tort's* Spring, for it will always impoverish them to carry and expend their public Money at the Extremity of the County, where it will never circulate back again; it will also occasion great Oppression to the Poor to pay the Costs of Law Suits, by Reason of far Travel, as well as much prevent their annual Elections, the poorer Sort not being able to attend; that these Difficulties will be much increased to those who may settle over the *North Mountains*, in the *Cove* or the *Path-Valley*, when those Lands shall be purchased; that it does not appear to them, that it will be to the Proprietaries Advantage, or the Prosperity of the Town of *Carlisle*, for it

will necessitate the Back Inhabitants to traffick in *Maryland* to the Damage of this Province; and that they can easily make it appear, that no good Waggon Road can be had over the *North Mountain*, until they go beyond *Shippensburgh* up the *Valley*, where Waggons have already past over without any Cost or Trouble in clearing Roads, and which is withal the nighest Way to *Allegheny;* that though they have made frequent Supplications to the Governor on this Head to no Purpose, yet being still in Hopes of Relief, they had thought it best to defer building a Prison, for Want of which, Escapes are made both by Felons and Debtors, to the great Damage of the County; they therefore pray that this House would take their Grievances into Consideration, and grant such Relief as to them shall seem meet.

Ordered to lie on the Table.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to carry up the Bill for repealing an Act, entituled, *A Supplement to the Act*, entituled, *An Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province*, to the Governor, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would give it all the Dispatch he could.

The Speaker informing the House, that the Contributors to the *Pennsylvania* Hospital, had made it appear to his Satisfaction, that they had complied with the Terms of the late Act of Assembly, made to encourage the establishing of the said Hospital; and the Securities they had taken for the Sum of *Two Thousand Pounds* contributed, being also laid before the House, and appearing satisfactory, the Speaker, with the unanimous Consent of the House, signed an Order on the Trustees of the Loan-Office, for the Payment of *Two Thousand Pounds* to the Treasurer of the said Hospital, *One Thousand Pounds* on demand, and the Remainder in Twelve Months.

The Governor, by his Secretary, sent down a written Message, which was read, and follows in the Words, *viz.*

GENTLEMEN,

'AGREEABLE to your Request in your Message of *October* last, I acquainted the Honourable Proprietaries with your Expectation, that they would bear a Part of the Charges arising upon Treaties, and other Negotiations with the *Indians*. In Answer to which, they have been pleased to direct me to acquaint the Assembly, that they do not conceive themselves

under any Obligation to contirbute to *Indian* or any other Public Expenses, even though Taxes were laid on the People for the Charges of Government: But as there is not *One Shilling* levied on the People for that Service, there is the less Reason for asking any thing of them. Notwithstanding which, they have charged themselves with paying to the Interpreter much more than could be due to him on any Treaties for Land, and are at this Time at the Expence of maintaining his Son with a Tutor in the *Indian* Country, to learn their Language and Customs for the Service of the Province, as well as of sundry other Charges on *Indian* Affairs. That they have been at considerable Expences for the service of the Province, both in *England* and here: All which being considered, and that they purchase the Land from the *Indians*, and pay them for it, and that they are under no greater Obligation to contribute to the publick Charges than any other Chief Governor of any of the other Colonies, they would have been well pleased to have been freed from the Necessity of giving a disagreeable Answer to any Application upon that Subject.

August 16, 1751. JAMES HAMILTON."

The Petition of sundry Inhabitants of the Upper Parts of the County of *Bucks*, praying a Division of the said County, *&c.* was read a second time, and referred to the Consideration of the next Assembly.

The Petition of divers Inhabitants of the Back Parts of *Philadelphia* County, and the adjacent Parts of *Chester* and *Lancaster* Counties, praying for a new County, *&c.* was also read a second time, and referred to the Consideration of the next Assembly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to audit and settle the Accounts of the General Loan-Office, and other Public Accounts, made their Report in Writing, which was read, and ordered to lie on the Table, for the Perusal of the Members.

The Committee of incidental Charges, reported, on the Account of *Conrad Weiser*, that there appeared to be due to him from the Province, the Sum of *Fifty-six Pounds Two Shillings* and *Six-pence;* and on Order was accordingly drawn on the Treasurer, and signed by the Speaker, for the Payment of the same.

And the House considering the Committee's Report of the Services of *Andrew Montour* among the *Western Indians;*

and his Account of Expenses, in carrying the Present to the *Twightwees*, &c.

Resolved, That *Eighty Pounds* be paid to the said *Andrew Montour*, in full Satisfaction for the same;

And an Order on the Treasurer was drawn, and signed by the Speaker accordingly.

The Messages from the Governor, of the Thirteenth and Sixteenth Instant, were again read, and considered.

Ordered, That *Israel Pemberton*, *John Smith*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Thomas Cummings*, *Calvin Cooper*, *John Withrow* and *Hermanus Alrichs* be a Committee to prepare a Draught of an Answer to the Governor's Messages, and to search the Records and Minutes of the House, and report what they find of the Sentiments of former Assemblies concerning the Expences of *Indian* Affairs, and in what Manner those Expences have been usually defrayed, and what Sums they find have been expended by this Province in those Affairs for Twenty Years past.

Then the House adjourned to next *Second-day*, at Three o'Clock, *P. M.*

A Petion from *John Potter*, High Sheriff of the County of *Cumberland*, setting forth, that he was commanded by a Warrant from the Chief Justice of this Province, to have and convey the Bodies of *Francis Fulken* and *Nehemiah Steen*, from the said County of *Cumberland* to the City of *Philadelphia*, who are charged on Suspicion of the Murder of one *Benjamin Moore;* that in Obedience to the said Warrant, he had accordingly brought and delivered the above-mentioned two Persons into the Charge of the Sheriff of the City and County of *Philadelphia;* that he has annexed an Account of his Charge for this publick Service, which he prays this House would allow, and give Directions for the Payment thereof; was presented to the House and read, with his former Account, referred to the Committee of incidental Charges.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Resolved, That the Bill for preventing Frauds, and also for the Examination of Witnesses in *Perpetuam Rei Memoriam*, and to authorize the Examination of Witnesses living out of this Province of *Pennsylvania*, be referred to the Consideration of the next succeeding Assembly.

The Question being put, whether the Petition relating to Deer, *&c.* should be referred to the Consideration of the next succeeding Assembly; it *Past in the Negative.*

A Petition from *Jeremiah Starr*, Collector of the Excise for Chester County, praying to be continued in that Office, was presented to the House and read, and referred to further Consideration in the Afternoon.

The Petition of *Joseph Redman*, Collector of the Excise for *Philadelphia* County, praying to be continued in that Office, was read a second Time, and referred to further Consideration in the Afternoon.

The Petition from *Thomas Millhouse*, of *Chester* County, praying to be appointed Collector of the Excise for that County, was read a second Time, and referred to further Consideration in the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The Petition of the Grand Jury of the County of *Cumberland* was read a second time, and referred to the Consideration of the next Assembly.

The Committee appointed to prepare a Draught of an Answer to the Governor's Messages, reported the same to the House, and it was read by Order, and referred to further Consideration To-morrow Morning.

The Gentlemen appointed to view the River *Schuylkill*, &c. made their Report in Writing, which was read, and follows in these Words, *viz.*

IN Obedience to the Order of the House, we have viewed the River *Schuylkill*, and sounded the Depths, and tried the Bottom in several Places from *Peter's* Island, near the Ford, down to *John Bartram's*, below the Lower Ferry, and are of Opinion, that the most convenient Place for a Bridge in all Respects is against or near the End of *Market-Street*, where Capt. *Coultas* now keeps the Ferry. We have also had under our Consideration sundry Plans of Bridges, and Computations of the Expence of building them, but not being yet prepared to compleat our Report thereon, crave further Time for that Purpose.

CASPER WISTAR,
BENJAMIN FRANKLIN,
HUGH ROBERTS,
ISRAEL PEMBERTON,
SAMUEL RHOADS,
JACOB LEWIS."

THOMAS LEECH,
PETER DICKS,
EDMUND WOOLLEY,

And the House agreed to allow the said Committee further Time, in order to finish their Report, which they are directed to bring in to the next Assembly; and the Petition relating to the Bridge over *Schuylkill*, are referred to the Consideration of that Assembly.

Resolved, That *Joseph Redman* be Collector of the Excise for the City and County of Philadelphia.

Resolved, That *John Woolston* be Collector of the Excise for the County of *Bucks*.

Resolved, That *Jeremiah Starr* be Collector of the Excise for the County of *Chester*.

Resolved, That *Arthur Patterson* be Collector of the Excise for the County of *Lancaster*.

Resolved, That *David M'Connaughy* be Collector of the Excise for the County of *York*.

Resolved, That *James Lindsay* be Collector of the Excise for the County of *Cumberland*.

A Motion was made by the Trustees of the *Province Island*, that the House would allow a further Supply of Money for the finishing of the Building there, also that some Provision be made for a Person to reside on the Premises, to oversee and take Care of the Buildings, *&c.* which was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Answer to the Governor's Message was read Paragraph by Paragraph, and, after some Amendments, agreed to by the House, was ordered to be transcribed, that it may be sent up to the Governor.

The Committee of incidental Charges reported on the Accounts of *John Potter*, High Sheriff of *Cumberland*, that they are of Opinion the Sum of *Thirty-four Pounds* should be allowed him in full Discharge of both Accounts, to which the House agreed, and an Order was accordingly drawn on the Treasurer, and signed by the Speaker, for Payment of the same.

The Message to the Governor being transcribed was again read, and follows in these Words, *viz.*

May it please the GOVERNOR,

WE have a grateful Sense of the Governor's Care and Concern in *Indian* Affairs; the prudent Management of which is of great Importance to the Peace and Safety of these Colonies, but if it should be agreeable with the Governor's Sentiments, we would wish, that such as may hereafter be employed on Business with the *Indians*, might be cautioned against charging themselves with Letters from every inferior *French* Officer, who shall presume to send Threats or pretended Claims to our Governor, in order to give himself an Air of Authority among our *Indian* Allies.

The informations of *Conrad Weiser* and *Andrew Montour*, on their Arrival in Town, since the Governor's Message of the Thirteenth Instant, we suppose have given the Governor, as well as the House, Reason to believe that the Request inserted in *George Croghan's* Journal, which the Governor was pleased to lay before the House, as made by the *Indians* at *Ohio* to this Government, to erect a strong Trading House in their Country, as well as the Danger, 'tis there said, they apprehended from the Attempts of the *French*, have been misunderstood or misrepresented by the Person in whom the Governor considered for the Management of that Treaty.

We have seriously considered the Offer made by our Proprietaries, of contributing towards building such a House; but as we have always found that sincere, upright Dealing with the *Indians*, a friendly Treatment of them on all Occasions, and particularly in relieving their Necessities at proper Times by suitable Presents, have been the best Means of securing their Friendship, we could wish our Proprietaries had rather thought fit to join with us in the Expence of those Presents, the Effects of which have at all Times so manifestly advanced their Interests with the Security of our Frontier Settlements.

As it appears from the late notorious Disorders among the *Indian* Traders, as well as from the Representation of the Magistrates of *Cumberland*, that some very unfit Persons are at present employed in that Business, we hope the Governor will enjoin the Justices of the County Courts to be more careful for the future whom they recommend for Licences: and whatever is thought further necessary to enforce or amend the Laws now in being. for regulating the *Indian* Trade and Traders, may be considered by the ensuing Assembly in the Winter Sitting; when the Members are generally most at Leisure to attend closely to publick Business.

We have paid the Accounts of our Interpreters, as we hope, to their full Satisfaction, and have the other Accounts mentioned by the Governor under our Consideration."

And the Message being signed by the Speaker by Order of the House,

Ordered, That *John Smith* and *Joseph Fox* wait upon the Governor with the same, and desire to know when the House may expect his Result on the Bill now before him.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait on the Governor with the Message of this Morning, report, that they had delivered

the same according to Order, and that the Governor was pleased to say, he had already sent down the Bill with an Amendment.

The Governor, by his Secretary, sent down to the House, the Bill for repealing an Act, entituled, *A Supplement to the Act*, entituled, *An Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotant Persons being imported into this Province*, with a proposed Amendment, which being read, and considered, the House agreed thereto, and ordered the Bill to be engrossed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, sent down to the House some Letters on *Indian* Affairs, which he received last Night from Governor *Clinton*, of *New York;* and they were read, and ordered to lie on the Table for the Perusal of the Members.

The Committee appointed to search the Records and Minutes of the House relating to *Indian* Affairs, made their Report in Writing, which was read, and considered, and follows in these Words, *viz.*

IN Pursuance of the Order of the House, we have examined the Journals of the Proceedings of the Assemblies of this Province, on what relates to the Charges of Treaties and other Affairs with the *Indians*, by which we find,

That the Expences on these Occasions were very inconsiderable till the Year 1722, there being a Provision made by Law to limit them to £50 *per Annum;* and when Accounts were exhibited to the House of a larger Charge on these Occasions, great Caution was used in allowing them.

In the Year 1722 a general Treaty was held at *Albany* with the *Indians* of the *Six Nations* by the Governors of *New-York* and *Virginia*, at which Sir *William Keith*, then Governor of this Province, with several of his Council, was desired by the Assembly to attend (in order to satisfy the *Indians* of the Care and Justice of this Government, to punish some Persons, by whom one of them had been lately killed) and the Assembly agreed to advance £230 to defray the Governor's Expences, and the Cost of Presents made to the *Indians* on that Occasion.

From that Time till the Year 1727, there does not appear to have been any Expences on these Affairs paid by the Public, but in that Year an Account amounting to about £70 being exhibited, the Assembly allowed one Half of it, and left the rest to be paid by the Proprietary.

In the Year 1728 some unusual Apprehensions of Danger from the *Indians* appeared, and the Province being at that Time under great Difficulties in other Respects (from some Party Disputes then subsisting) the Assembly requested Governor *Gordon* to hold a Treaty with the *Indians*, and promised to pay the Expenses of it: And this is the first Instance we find of a general Engagement made by any Assembly of this Kind; and we apprehend, the Circumstances of the Proprietary Family at that Time induced the Representatives of the People freely to contribute more of the Public Money than usual, to answer the pressing Exigencies of that Occasion.

After which, the first Article of Expence is in 1733, the Year after the Arrival of our Proprietary THOMAS PENN in this Province, at which Time the People paid the Expence of a Treaty with the *Indians*, being desirous of demonstrating their Respect to the Proprietary Family, and of preserving the Memory of our first worthy Proprietary in the Minds of the *Indians*, with that Reverence and Respect they have ever professed for him.

And the same Considerations, we believe, induced the Assembly, on the Arrival of our Proprietary JOHN PENN, to defray the Expence of a Treaty with some *Indians*, who came down to pay him a Visit.

These, we apprehend, were the Reasons, by which the People were first induced to bear so large a Part of the Expences on *Indian* Affairs; yet constantly there appear Proofs of the People considering these Contributions as their free Gift: And in several Instances we find they refused to pay more than Half of the Charge on these Occasions, leaving the rest to be paid by the Proprietary.

After the Commencement of the late War, the Assembly thought it proper to demonstrate, that they were not induced by mercenary Motives, to refuse joining in the making any Military Preparations and therefore contributed towards cultivating our Friendship with the *Indians*, and on several other Occasions, more largely, than before that Time had ever been done by their Predecessors.

But the Danger of introducing Precedents of this Kind seems to us very manifest in this Instance; their Liberality in granting these large Supplies being now interpreted to authorize the fixing the whole Charge of *Indian* Affairs on the Public. And as the generous Allowances lately made (amounting within four Years past to near £5000) have had the desired good Effect of confirming our Alliances with the

Indians, the present Opportunity seems to us very proper to enter into the Consideration of the Proportion the People should pay of such Charges as may hereafter arise on the like Occasions; which is nevertheless submitted to the House.

ISRAEL PEMBERTON, junior,
JOHN SMITH,
BENJAMIN FRANKLIN,
MAHLON KIRKBRIDE.

THOMAS CUMMINGS,
CALVIN COOPER,
HERMANUS ALRICHS."

Account of Expences on Indian *Affairs paid out of the Provincial Stock by the Treasurer and Trustees of the Loan-Office*, viz.

		£			
Anno	1733		446	0	8½
	1734		13	1	11
	1735		143	3	7
	1736		59	1	5
	1737		359	17	6½
	1739		230	12	11
	1740		376	13	7¼
	1742		592	10	7¾
	1743		518	0	9
	1744		303	10	9½
	1745		319	13	0
	1746		428	10	4
	1748		1,158	8	0
	1749		908	3	10
	1750		1,249	5	7
	1751 (besides several Accounts not yet adjusted)		1,259	5	11
		£	8,366	0	6½

The farther Consideration of the said Report was referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The Report of the Committee appointed to search the Records, *&c.* relating to *Indian* Affairs, being again read, and considered was unanimously approved of, and agreed to, by the House.

And the Governor's Message of the Sixteenth Instant being again read, and considered.

Resolved, N. C. D. That it is the Opinion of this House, that the Proprietaries Interest will be so greatly advanced by keeping up a firm Peace and friendly Correspondence with the

Indians, that they ought to bear a proportionable Part of the Charges expended upon all such Treaties as tend to those good Purposes.

Resolved, N. C. D. That although Provincial Taxes have not been laid here for some Time past in a formal Manner, for the Support of the Proprietaries Lieutenant Governor, and defraying the Charges of *Indian* Treaties, yet our Excise is really a Tax upon the Province, yielding about *Three Thousand Pounds per Annum*, which is principally appropriated to those Purposes, besides the Sum arising upon Licenses, *&c.* throughout the Province, amounting to very considerable Sums yearly.

Resolved, N. C. D. That the Assemblies of this Province have always paid the Accounts of our *Indian* Interpreters for their public Services, to their full Satisfaction. And we hope that all such Charges as the Proprietaries may pay at this, or any future Time, for maintaining the Son of our Provincial Interpreter in the *Indian* Country (should it please God to bless their good Intentions) will be gratefully repaid by his future Services.

Resolved, N. C. D. That the Proprietaries by the Royal Charter are obliged to have an Agent to represent them at the Court of *Great-Britain*, and this Province have thought fit to appoint an Agent there also at a great Expence. Nevertheless, if any Expences properly chargeable upon this Province have been paid by the Proprietaries, we make no Doubt our future Assemblies will chearfully discharge all their just Debts, whenever such Accounts are exhibited.

Resolved, N. C. D. That the Proprietaries being Lords of the Soil, as well as Governors in Chief of this Province, are more nearly interested in the Prosperity of this Colony, than any other Governors in *America*, not so circumstanced, are or can be.

Resolved, N. C. D. That the Law of this Province passed in the Twelfth Year of the late King WILLIAM, entituled, *An Act against buying Land of the Natives*, is for the sole Benefit of the Proprietaries; therefore they ought to bear the whole Expences of all Treaties with the *Indians* for Lands only; and that the Law we conceive cannot in Justice be alledged as any Reason for not bearing a Part of such other Treaties with the *Indians*, as tend to the Welfare and Peace of this Province.

Resolved, N. C. D. That all Proprietaries Interests are so constantly intermixt with those of the Province in all Treaties with our *Indian Allies*, that we apprehend the surest Way to prevent Dissatisfactions on all Sides, will be to request the

Proprietaries in the most reasonable and in the most respectful Manner, to agree upon a proportionable Part of all such Charges on Account of *Indian* Treaties as may hereafter accrue, to be paid by the Proprietaries and Province, respectively, as in Justice they ought to do.

Ordered, That *Israel Pemberton*, *John Smith*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Thomas Cummings*, *Calvin Cooper*, *John Witherow* and *Harmanus Alrichs* do prepare a Draught of an Address to the Proprietaries, pursuant to the foregoing Resolves, and report the same to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for repealing an Act, entituled, *A Supplement to the Act*, entituled, *An Act for imposing a Duty on Persons Convicted of heinous Crimes, and to prevent poor and potent Persons being imported into this Province*, being engrossed with the Amendment, was read.

Ordered, that *Mahlon Kirkbride* and *Thomas Cummings* wait upon the Governor and acquaint him, that the House have agreed to his proposed Amendment, and desire that he would appoint a Member of Council to join with one of this House, in order to compare it with the Original. And further desire to know, when the Governor will be pleased to receive the House, in order to the enacting the said Bill into a Law.

Resolved, That *Two Hundred Pounds* be put into the Hands of the Trustees of the *Province Island*, toward finishing the Buildings there.

And an Order was accordingly drawn on the Trustees of the Loan-Office, and signed by the Speaker, for Payment of the same.

The Petition from the Commissioners and Assessors of *Cumberland* County, was read a second time, together with the Law for establishing the said County; and the Petition was referred to the Consideration of the next Assembly.

The Gentlemen appointed to wait on the Governor, being returned, report, that they had been at his House, but were informed that he was out of Town.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare a Draught of an Address to the Proprietaries, reported the same to the House, which was read, and approved of, and ordered to be transcribed.

The Committee of Grievances made a Report in Writing, which was read, and follows in these Words, *viz.*

WE the Committee of Aggrievances do report, that we have inspected the Lists of the Number of licensed public House-Keepers laid before this House, for the Year 1749 and 1750, and do find, that according to the List of 1749, there was in that Year to the Number of Three Hundred and Thirty-nine, and by the List of 1750, there is now Three Hundred and Thirty-eight public licenced House-keepers in the Province.

JOSEPH TROTTER,
GEORGE ASHBRIDGE,
JOSEPH HAMTON."

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Members appointed to wait upon the Governor, report, that the Governor was not yet come to Town, but that he desired the Secretary to acquaint the House in his Name, that he had appointed the Secretary to join a Member of this House to compare the Bill which had passed the House with his Concurrence, and that he would be ready in the Council Chamber at Ten o'Clock precisely, in order to enact the same into a Law.

Ordered, That *Joseph Fox* meet the Secretary, and compare the Bill with the Governor's Amendments.

Resolved, That an Order be drawn on the Provincial Treasurer for the Payment of *Four Hundred Pounds* to the Honourable JAMES HAMILTON, Esq; Governor of this Province, being the Remainder of his Support for the current Year.

And the said Order was accordingly drawn and signed by the Speaker.

A Memorial was presented to the House from the Administrators of *John Kinsey*, Esq; which follows in these Words, *viz.*

To the Representatives of the Freemen of the Province of Pennsylvania, *in General Assembly met*, *William Plumsted* and *Israel Pemberton*, jun, with all due Respect, beg Leave to represent,

THAT we having, on the Decease of our worthy Friend *John Kinsey*, undertaken the Administration of his Estate, immediately adjusted the Accounts of the Loan-Office, with the surviving Trustees and the Committee of Assembly, and paid into their Hands all the Money which remained in his Custody belonging to the Province.

That it appears to us, by an Account drawn out by *John Kinsey* in his Life-time, and other Proofs, that about *Twelve*

Hundred Pounds of the public Money was embezled and spent by a Person, whom he intrusted for some Years as his Clerk; by which we were then prevented of paying the whole Sum due to the Province.

That this Deficiency evidently appearing to be occasioned by his having sustained this Loss, Justice to the Memory of our deceased Friend, requires our making this Representation. And as we are now ready to pay the Balance due to the Province, we request the House, on Consideration of the Premises, to give such Directions concerning the Discharges to be given to us as may sufficiently indemnify us and our Estates from any future Objections or Controversies on this Occasion.

ISRAEL PEMBERTON, jun.
WILLIAM PLUMSTED.

Ordered, That the Administrators of the Estate of *John Kinsey*, Esq; late Trustee of the Loan-Office, pay the Balance due from said Estate to the Public, into the Hands of the present Trustees.

The Address to the Proprietaries being transcribed, was again read, and by Order of the House was signed by the Speaker.

Ordered That *Israel Pemberton* and *Benjamin Franklin* wait upon the Governor, and acquaint him, that the House have read and considered the Letters he was pleased to lay before them concerning *Indian* Affairs, and thank him for the early Communication of such Intelligence; and request the Governor's Care to do what may be proper in Consequence thereof. And further, that they acquaint the Governor, that the House are inclined to adjourn this Day to the thirtieth of *September*.

Ordered, That *Joseph Fox* and *Evan Morgan*, see the Great Seal affixed to the Law after it is passed, and that the same be deposited in the Rolls Office.

The Gentlemen appointed to wait on the Governor, return and report, that they had delivered the Message of the House, according to Order, and that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment.

A Message from the Governor, by the Secretary, that the Governor was now ready to receive the House in the Council Chamber.

Then the Speaker, with the whole House waited on the Governor; And being returned, the Speaker resumed the

Chair, and reported, that the House had waited upon the Governor with the Bill for repealing an Act, entituled, *A Supplement to the Act*, entituled, An Act for imposing a Duty *on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province*, which he was pleased to enact into a Law; that the Speaker had also presented to the Governor the Order of the House for his Support, which he was pleased thankfully to accept; that the Speaker had likewise delivered to the Governor the Representation of this House to the Proprietaries, with the Request of the House, that he would transmit the same to them, which he was please to say he would do by the first Opportunity.

Resolved, That *George Spofford* be the Officer for putting in Execution the Acts remaining in Force *for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province.*

Resolved, That *Two Hundred Pounds Sterling* be remitted to *Richard Patridge*, Esq; Agent of this Province, to lie in his Hands for public Services, and to be accounted for hereafter.

The Committee of incidental Charges, report their Examination of sundry Accounts of Services done the Public, and such Allowances were made as the House judged reasonable.

The Gentlemen appointed to see the Seal affixed to the Law, and the same deposited in the Rolls Office, report, that they had performed that Service accordingly.

The Accounts of *George Croghan* are referred to the Consideration of the succeeding Assembly.

Part of Dr. *Graeme's* Account, for Medicines sent the *Indians* at *Shamokin*, was also referred to the Consideration of the next Assembly.

Then the House adjourned to Two o'Clock, *P. M.*

The Report of the Committee of public Accounts, was approved of by the House, and follows in these Words, *viz.*

WE, *the* COMMITTEE *appointed by the Assembly of the Province of* Pennsylvania, *to audit and settle the Accounts of the* GENERAL LOAN-OFFICE, and other *Public Accounts; and to sink and destroy the Bills of Credit, received in Exchange, pursuant to the late Paper-Money Acts.* REPORT,

THAT upon a strict Examination of all the Mort-

gage Deeds whereon any Quotas are due taken by Virtue of all the Acts of Assembly for emitting Paper Bills, and now remaining in the Loan-Office undischarged,			
We find there are principal Sums or Quotas thereon to become due (after the 4th of the Fifth Month last) and payable to the Trustees, the Sum of	£ 46,813	10	0
That the Quotas outstanding, and then due on all the Mortgage Deeds in the said Office, amounted to	14,572	9	2
That it appears by a List of 198 Mortgages, taken on the fourth Re-emission of the second £80,000 Act, there has been lent out thereon, the Sum of	12,684	0	0
And by a List of 85 Mortgages, taken on the Fifty Re-emission of the same Act, the Sum of	5,764	0	0
	Carried over £	79,833	19 2
	Brought over £	79,833	19 2
That several Sums lent the Public, to be repaid into the Hands of the Trustees, were paid on the 4th of the Fifth Month last, viz.			
The whole Sum appropriated towards building the State-House, ...	£ 2,000	0	0
The Balance due of the Sum lent the City of Philadelphia, ...	156	0	0
The Balance due of the Sum lent the said City for building Alms-Houses, ..	187	10	0

The Sum remaining of what was lent the Province, and put into the Hands of the Provincial Treasurer, ... 200 0 0

£ 2,543 10 0

Makes the whole Sum, £ 82,377 9 2

THAT the Trustees on Account of Interest, are charged with the Balance due to the Province at last Settlement in 1750, .. £ 1.409 4 4

And with the Interests outstanding on all the Mortgage Deeds at said Settlement, ... £ 8,205 8 7

From which deduct,

For a Loss on Samuel Hough's Mortgage, on the first Reemission of the second £30,000 Act £1 17 4

For Ditto, on John Elfreth's fifth Re-emission of the same Act, ...9 9 6

For a Mistake in carrying on the Interest of Edward Berwick's Mortgage on the fifth Re-emission of the first £80,000 after it was discharged, ...6 0 0

For Ditto, on Joseph Comely's Mortgage on the sixth Re-emission of the first £80,000 .....3 0 0

For a Mistake on Emanuel Jones's Mortgage on the first Re-emission of the second £ 80,000 ....0 17 7

For Twenty Shillings overcharged on Thomas Morris's Mortgage, and the same on John Steel's both being on the second Re-

emission of the second £80,000 .....2 0 0							
	£	23	4	5			
Makes the true Interest outstanding last Year, ...					£	8,182	4 2
To the Interest arising on all the Mortgage Deeds for the current Year, ...						2,830	0 1½
To the broken Interest received since last Settlement, ...						2,160	8 10¾
					£	14,581	17 6¼
THAT the Trustees have Credit for the Interest, which upon a careful Examination of the Indorsements upon all the Mortgagee Deeds in the Office, appears to have been outstanding and due on the 4th of the Fifth Month last, amounting to	£	6,688	6	7½			
Paid sundry Orders for Assembly Men's Wages, the Whole		354	12	6			
Paid the Trustees of the Province Island, towards building Pest-Houses, ...		600	0	0			
Paid Charles Brockden in Part of his Account, ...		270	0	0			
Paid William Trotter for signing 45,332 small Bills, at Fifteen Shillings per Thousand, ...		34	0	0			
Paid to James Webb for signing 45,339 Ditto, at Ditto, ...		34	0	1			
Paid Benjamin Franklin, per Order of the House, ...		264	12	5			
Paid Thomas Leech, towards the new Addition to the State-House, ...		600	0	0			

Paid Samuel Kirk, for eight Cord of Hickery-wood for the Assembly, ...	10	2	4			
Paid Lynford Lardner, for the Proprietaries, pursuant to Act of Assembly, ...	130	0	0			
Paid Part of the Trustees Salary for the last Year, not accounted for in the last Settlement, ...	190	0	0			
Paid the Trustees Salary for the current Year, four of them due the 16th of the Third Month, and the other in the Sixth Month,	500	0	0			
By a Loss on John Elfreth's Mortgage for Quota Account, ...	19	15	0			
By Balance remaining due from the Estate of John Kinsey, ...	1,122	5	7			
By Allowance per Law for exchanging £4,668 19 0 for torn Bills, at Fifty-five Shillings per Thousand, ..	12	16	8			
	£10,830	11	2½			
Balance in the Hands of the Trustees due to the Province	3,751	6	3¾			
				£14,581	17	6¼
WE do likewise Report, that we have examined the Provincial Treasurer's Accounts, and find that he Credits the Province for Balance due at the last Settlement in the 6th Month, 1750	173	7	11			
By sundry Sums received on Judah Foulke's Account,	644	9	1½			
By Cash received from Joseph Redman, Collector of						

Excise for the City and County of Philadelphia, ..	2,703	4	8			
By Ditto from John Woolston, Collector for Bucks,	165	0	0			
By Ditto from Jeremiah Starr, Collector for Chester, ...	382	8	6½			
By Ditto from Arthur Patterson, Collector for Lancaster, ...	250	5	0			
By Ditto from David M'Connaughy, Collector for York, ...	28	2	0			
By Ditto from Benjamin Chambers, Collector for Cumberland, ...	13	18	0			
				£	4,360 15	3
THAT he charges the Province with sundry Sums, paid in Pursuance of the Orders or Votes of the House of Assembly, viz.						
To an Order paid Thomas Cummings, ...	4	10	0			
To Ditto paid Samuel Kirk,	9	0	0			
To Ditto paid Thomas Graeme, Esq;	60	0	0			
To Ditto paid Ditto, ...	16	5	0			
To Ditto paid Mary Burden,	4	12	6			
To Ditto paid Charles Stow,	5	5	0			
To Ditto paid John Biddle,	3	0	0			
To Ditto paid Edward Kelly,	9	9	10			
To Ditto paid Tench Francis, ...	70	0	0			
Carried over £	182	2	4			
Credit brought over,				£	4,360 15	3
Debit brought over,	182	2	4			
To Ditto paid Benjamin Franklin, ...	73	8	6			
To Ditto paid Conrad Weiser, ...	20	0	6			
To Ditto paid Richard Peters, ...	19	5	0			

To Ditto paid Andrew Montour, ...	92	1	0
To Ditto paid William Till, Esq;	60	0	0
To Ditto paid Thomas Leech,	20	0	0
To Ditto paid Oswald Peele,	4	0	0
To Ditto paid Isaac Norris,	5	0	0
To Ditto paid Richard Peters for the Governor,	400	0	0
To Ditto paid Edward Warner, ...	10	0	0
To Ditto paid Conrad Weiser, ...	38	14	11
To Ditto paid Mahlon Kirkbride, ...	1	10	0
To Ditto paid Ralph Kilgore and Maurice Turner, ...	10	0	0
To Ditto paid William Logan, for Goods purchased for the Indians, ...	610	7	0
To Ditto paid Richard Peters for the Governor,	600	0	0
To Ditto paid Conrad Weiser for Carriage of Goods to Ohio, ...	200	0	0
To Ditto paid Isaac Norris for a Bill of Exchange of £100 Sterling for Richard Patridge, Agent of the Province, ...	170	0	0
To Ditto paid Richard Peters for a Present of Condolence to the Six Nations, ...	100	0	0
To Ditto paid Conrad Weiser in full for Carriage of Goods to Ohio, ..	30	0	0
To Ditto paid the Trustees of the Loan-Office in Pursuance of the Act that gave £5,000 to the King's Use, ...	500	0	0

To Ditto paid in full for Money put into the Treasury by the second £30,000 Act, ...		200	0	0		
To Ditto paid Arthur Patterson for Jane Tear, the 19th of the Sixth Month, 1749, ...		12	0	0		
To Ditto paid William Clark of the same Date, ...		1	10	0		
	£	3,359	19	3		
To Commissions at 5 per Cent		167	19	11		
Balance due to the Province, ...		832	16	1		
					£	4,360 15 3

THAT we Charge Judah Foulke, former Collector of Excise for the City and County of Philadelphia, with the Balance due to the Province at the Settlement in the Sixth Month, 1750, being		1,328	9	9		
To sundry Sums received upon Entries made after the first of the Fourth Month, 1750, ...		111	15	11		
To Ditto received on the Lists which he rendered as Outstandings, ...		94	19	8		
To Ditto received on the List of Outstandings delivered him by Rees Meredith, ...		11	14	10		
					£	1,547 0 2
That we Credit Judah Foulke for two Lists of Outstandings delivered to Joseph Redman, present Collector, ...	£	832	15	2		

By Cash paid to Michael Lighfoot, Provincial Treasurer, ...		644	9	1½			
By his Commissions thereon, at 5 per Cent, ...		32	4	5½			
	£	1,509	8	9			
Balance due to the Province, ...		37	11	5			
					£	1,547	0 2
FROM which Balance deduct Commissions, at 5 per Cent, is £ 1 17 7 leaves £ 35 13 10 to be paid to the Provincial Treasurer, in full Discharge of this Account,							
THAT we have examined Joseph Redman's Account, relating to the Lists rendered by Judah Foulke, as Outstandings, and find that he Credits the Province with the said Lists, amounting to					£	832	15 2
That he Charges the Province with sundry Sums which Judah Foulke received in Part of these Lists		94	19	8			
To Cash paid Michael Lightfoot, Provincial Treasurer,		504	10	7			
To Commissions thereon, at 5 per Cent, ...		25	4	6			
		624	14	9			
Balance due to the Province, a considerable Part of which is not likely to be received.		208	0	5			
					£	832	15 2

THAT we have examined the Accounts of Joseph Redman, present Collector of Excise for the City and County of Philadelphia, and find that he Credits the Province for the whole Amount of Entries from June 1, 1750, to June 1, 1751.	£	2,317	16	10		
By sundry Retailers, at 1.3 per Annum, per List, ...		148	15	0		
By one Half of sundry Fines, ...		48	16	9		
					£	2,515 8 7
That he Charges the Province with sundry Sums which Judah Foulke received, and is settled in his Account, ...		111	15	11		
To Cash paid Michael Lightfoot, Provincial Treasurer,		2,198	14	1		
To Commissions on ditto, at 1.5 per Cent.		109	18	9		
		2,420	8	9		
Balance due to the Province, ...		94	19	10		
					£	2,515 8 7

We have now delivered to Joseph Redman the Remainder of the List of Outstandings returned by Rees Meredith to Judah Foulke, upon which there is yet due 1. 90 9 6.

THAT we Charge William Atkinson, former Collector of Excise for the County of Bucks, with the Balance due from him at the Settlement in 1749.....	£	87	1	6

And a List of Entries made with him, from the Date of that Settlement to the Time of his Decease, as taken from his Books, by John Hall, ...	31	18	9			
	Carried over			£	119	0 3
	Brought over				119	0 3
That we Credit William Atkinson,						
By Cash paid his Life-time to Michael Lightfoot, Provincial Treasurer.	20	0	0			
By his Commissions thereon, at 10 per Cent, ...	2	0	0			
By John Hall, whom we charge for sundry Sums collected by him, of William Atkinson's Outstandings, ...	94	14	6			
By John Woolston, whom we charge for the Balance collected by him, ...	4	5	9			
				£	119	0 3
THAT we charge John Hall, late Collector of Excise for the County of Bucks, with sundry Sums received by him for Outstandings on William Atkinson's Books, as per List delivered us by the Provincial Treasurer, ...	92	14	6			
And with Money collected for Entries made with himself since his being Collector, as extracted from his Books by the Provincial Treasurer, ...	51	16	10			
And with several Sums taken as Outstandings from John						

Hall's Books, which John Woolston discovered to have been received by him,	19	18	7				
				£	164	9	11
That we Credit John Hall,							
By Cash paid to Michael Lightfoot, Provincial Treasurer, ...	73	5	0				
By Commissions thereon at 10 per Cent, ...	7	6	6				
	80	11	6				
Balance due to the Province, ...	83	18	5				
				£	164	9	11
THAT we have examined the Accounts of John Woolston, present Collector of Excise for the County of Bucks, and find that he Credits the Province for the Balance of William Atkinson's Account collected by him, ...	4	5	9				
By a List of Outstandings taken from John Hall's Books, ...	93	5	9				
By a List of Entries made with himself from the Time of his becoming Collector, to the 1st of the Fourth Month last, ...	93	2	4				
				£	190	13	10
That he Charges the Province with							
Cash paid to Michael Lightfoot, Provincial Treasurer, ...	165	0	0				
To Commissions thereon at 10 per Cent, ...	16	10	0				
	181	10	0				

Balance due to the Province, ...	9	3	10				
				£	190	13	10

THAT we have examined the Accounts of Jeremiah Starr, Collector of Excise for the County of Chester, and find that he Credits the Province for the Balance due at the Settlement in the Sixth Month, 1750, ...

	73	14	0				
By the whole Amount of Entries from the 1st of the Fourth Month, 1750, to the 1st of the Fourth Month, 1751, ...	556	5	0				
By sundry Retailers at 1.3 per Annum, as per List,	21	0	0				
By Half a Fine received from John Bunting, ...	1	0	0				
				£	651	19	0
That he Charged the Province with Cash paid to Michael Lightfoot, Provincial Treasurer, ...	382	8	6½				
To Commissions thereon at 10 per Cent, ...	38	4	9½				
To a Loss on Christian Long's Excise, rendered outstanding in 1748, ...	2	19	6				
	423	12	10				
Balance due to the Province	228	6	2				
				£	651	19	0

THAT we have examined the Accounts of Arthur Patterson, Collector of Excise for the County of Lancaster, and find that he

Credits the Province for Balance due at the last Settlement, in 1750, ...	154	12	4				
By Amount of Excise from the 1st of June, 1750, to the 1st of June, 1751, ...	269	9	0				
				£	424	1	4
That he Charges the Province with Cash paid to Michael Lightfoot, Provincial Treasurer, ...	250	5	0				
To Commissions thereon at 10 per Cent, ...	25	0	6				
	275	5	6				
Balance due to the Province, ...	148	15	10				
				£	424	1	4

THAT we have examined the Accounts of David M'Connaughy, Collector of Excise for the County of York, and find that he Credits the Province by Amount of Excise, from the 1st of June, 1750, to the 1st of June, 1751, ...				£	39	15	4
That he Charges the Province to Commissions on £ 32 6 10 paid last Year,	£ 3	4	8				
To Cash paid Michael Lightfoot Provincial Treasurer,	28	2	0				
To Commissions thereon at 10 per Cent, ...	2	16	2½				
	34	2	10½				
Balance due to the Province, ...	£ 5	12	5½				
				£	39	15	4

THAT Benjamin Chambers, Collector of Excise for the County of Cumberland, hath not delivered or sent to us any Accounts relating to the Excise of the said County, but we find the Treasurer Credits the Province by Cash received from him, ... £ 13 18 0

THAT it appears by the Committee last Year, there remained in the Hands of the Trustees, to exchange old and ragged Bills, viz.

Of the Bills struck for that Purpose by the £80,000 Act,	2,272 19 0	
Of those struck by the £10,-000 Act, ...	4,425 15 6	
Of the small Bills or Tickets,	4,901 19 0	
		£ 11,600 13 6

And we do further report, that we have burnt and destroyed of the above said Sums, viz.

Of the old and Ragged Bills of the several Emissions struck before the £80,000..	158 11 6	
And of the old and torn Bills of the £80,000 and £10,-000	3.667 15 10	
And of small Bills or Tickets,	342 11 8	
Makes the whole Sum burnt this Year, ...		£ 4168 19 0

Which leaves in the Hands of the Trustees for exchanging of torn and ragged Bills, the Sum of .... £ 7,431 14 6

And last, we report, that we have burnt and destroyed in Pursuance of the Act that gave £5,000 to the King's Use, the Sum of ..	500	0	0

Submitted to the Correction of the House, 6th Month 16, 1751, *by*

THOMAS CUMMINGS,
EVAN MORGAN,
JOHN SMITH,
EDWARD WARNER,
JOSEPH FOX."

Ordered, That the Trustees of the Loan-Office keep the Borrowers more strictly to their Payments for the future.

Then the Orders for the Payment of the several Salaries and Allowances made by the House, being prepared, and signed by the Speaker by Order of the House,

The House adjourned to the Thirtieth of *September*.

INCIDENTAL CHARGES.

TO the Honourable JAMES HAMILTON, Esq; Lieutenant-Governor, his Support for the current Year,	£1,000	0	0
To *William Allen*, Esq; Chief Justice of the Supreme Court, ...	200	0	0
To *Lawrence Growdon*, Esq; Second Judge of the Supreme Court,	60	0	0
To *Caleb Cowpland*, Esq; Third Judge of the Supreme Court,	60	0	0
To *Richard Patridge*, Esq; his Salary as Agent, £100 Sterl.	170	0	0
To Ditto, for the Use of the Province, £200 Sterling, ...	340	0	0
To the *Six Nations*, as a Present of Condolence on the Death of *Canassatego*, &c.	100	0	0
To the *Twightwees*, and other Nations, on *Ohio*,	600	0	0
To *Maurice Turner* and *Ralph Kilgore*, who had been Prisoners among the *French*, ...	10	0	0
To the Speaker for drawing Bills, *&c.*	30	0	0
To the Members of Assembly, for their Attendance, at 5*s. per* Day, the gross Sum, ...	439	9	0
To *Tench Francis*, Esq; Attorney General, ...	100	0	0
To *John Smith*, for 32 Days Attendance on the Committee of Accounts, and burning Paper Money, ...	8	0	0

To *Edward Warner*, for 32 Days Ditto, ...	8	0	0
To *Joseph Fox*, for 23 Days Ditto, ...	5	15	0
To *Evan Morgan*, for 13 Days Ditto, ...	3	5	0
To *Thomas Cummings*, for 15 Days Ditto, ...	3	15	0
To *Mahlon Kirkbride*, for 2 Days Ditto, ...	0	10	0
To *Richard Peters*, Esq; Secretary, his Salary as Clerk of the Council	15	0	0
To Ditto, for Services, *&c.* as *per* Account, ...	25	2	0
To *Lynford Lardner*, Esq; Keeper of the Great Seal, his Account,	12	19	6
To *Charles Brockden*, Esq; Keeper of the Rolls, his Account, ...	8	8	10
To *Conrad Weiser*, Esq; for his Services in attending the *Indians*, and for Damages done by them on their Return Home, ...	38	14	11
To Ditto, for Transporting the Goods to *Ohio*,	230	0	0
To Ditto, for his Services as Interpreter, and Expences in Public Affairs to the 17th of the *6th Month*, 1751, ...	56	2	6
To *Benjamin Franklin*, as Clerk of the House, and for Printing,	121	1	0
To *William Franklin*, now Clerk to the House, ..	4	15	6
To *Samuel Kirk*, Sergeant at Arms, his Salary,	8	0	0
To *Charles Stow*, Door-keeper to the Council, for 26 Days, at 2*s.* 6*d. per Diem*, ...	3	5	0
To *Mary Burden's* Account, for her Son's attending the Council, and sundry other Services, ..	4	0	0
To *Edward Kelly*, Door-keeper, his Attendance on the Assembly, 54 Days, at 4*s. per Diem*	10	16	0
To *Andrew Montour*, in full of his Services and Disbursements for the Province, until the 17th of the *Sixth Month*, 1751, ...	80	0	0
To *John Potter*, Sheriff of *Cumberland* County, for bringing Prisoners to *Philadelphia*, ...	34	0	0
To *Edward Kelly's* Account for Disbursements, ..	3	5	0
To *Samuel Kirk*, for Disbursements, ...	1	0	0
To Catherine *Cox*, for a Bull killed by the *Indians*, in 1747, ...	3	0	0
To Doctor *Thomas Graeme*, for Physic for the *Indians*, ...	1	11	6
	£3,799	15	9

At an ASSEMBLY *held in* PHILADELPHIA, *the Fourteenth Day of* OCTOBER, ANNO DOMINI 1751.

BY the Returns of the Sheriffs of Five Counties, it appears that the following Gentlemen were chosen to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania* for the Year ensuing, *viz.*

For *Philadelphia* County.	For *Bucks* County.	For *Chester* County.
Isaac Norris,	*Mahlon Kirkbride,*	*Joseph Gibbons,*
Edward Warner,	*Joseph Hampton,*	*Thomas Cummings,*
Hugh Evans,	*Abraham Chapman,*	*George Ashbridge,*
Evan Morgan,	*John Woolston,*	*Nathaniel Grubb,*
Joseph Trotter,	*Griffith Owen,*	*Peter Dicks,*
John Smith,	*Richard Walker,*	*Nathaniel Pennock,*
Joshua Morris,	*Samuel Brown,*	*Henry Hockley.*
Henry Pawling.	*Garret Vansant.*	*Thomas Chandler.*

For *Philadelphia* City.
Benjamin Franklin,
Hugh Roberts,
} Burgesses.

For *Lancaster* County.
Arthur Patterson,
Calvin Cooper,
James Wright,
Peter Worral.

For *York* County.
John Wright, John Witherow.

For *Cumberland* County.
No Return brought in; but,
Daniel Williams appeared.

And a Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of the Province, to the Choice of a Speaker, and ISAAC NORRIS, Esq; was unanimously chosen Speaker of this House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That *Edward Warner, Benjamin Franklin, Mahlon Kirkbride, Joseph Gibbons, Calvin Cooper* and *John Wright* wait upon the Governor, and acquaint him, that, pursuant to the Charter and Laws of this Province, a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker, and desire to know when he will be pleased to receive the House, that they may present their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would be ready to receive the House this Morning at Eleven o'Clock, in the Council Chamber.

A Return of the Sheriff of *Cumberland* County was brought to the House, in which *William Trent* and *Daniel Williams* were returned as Representatives to serve in Assembly for the said County.

The Secretary attending, was called in, and, addressing himself to the Chair, said,

SIR,

The Governor is now ready to receive the House in the Council Chamber.

Then the Speaker, with the whole House, waited upon the Governor; and being returned, he Speaker resumed the Chair, and reported,

That the House had waited on the Governor, and presented their Speaker, and that the Governor was pleased to approve their Choice. That the Speaker had then, in the Name and Behalf of the House, claimed the usual Privileges, *viz.*

That the House, during their Sitting in Assembly, may enjoy Freedom of Speech in all their Propositions and Debates.

That the better to discharge the Business of the Public, they may at all seasonable Times have free Access to the Governor.

That their Persons and Estates may be protected from all Arrests and Insults during the Time of Privilege accustomed.

That it would please the Governor to take no Notice of any Report, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into a Resolve, nor give the least Credit to such Report. And lastly,

That his own (the Speaker's) unwilling Mistakes my be excused, and not imputed to the House.

All which he had requested as the just Rights and Privileges of the People of *Pennsylvania*, derived and confirmed to them by the Charters and Laws of the Province:

And that the Governor was pleased to say, they were the just and undoubted Rights of the House, and that he should never offer to violate them.

Then the usual Qualifications, by Law directed, were taken, first by the Speaker in the Chair, and then at the Table by all the rest of the Members present in their Order.

Resolved, That *William Franklin* be Clerk of this House for the ensuing Year.

And he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirk* be Serjeant at Arms to this House for the ensuing Year.

Resolved, That *Edward Kelly* be Door-keeper to this House for the ensuing Year.

Then the House adjourned to Three o'Clock in the Afternoon.

A Representation from the Trustees of the General Loan-Office, of this Province was presented to the House and read and follows in these Words, *viz.*

To the Honourable the ASSEMBLY *of the Province of* Pennsylvania, *now sitting*,

The Trustees of the General Loan-Office beg Leave to represent,

THAT they humbly conceive it would be more satisfactory to the Public (and it would really be so to the Trustees) if at the Time of settling the Accounts of their Office, the Money in their Hands were counted, as well as the Mortgage Deeds examined.

That they did accordingly propose it to the last Committee of Accounts, and offered to submit the Chest to their Examination; but the Committee omitted it, perhaps, because they wanted Time, or for that it had been heretofore customary.

But a new Committee of Accounts being now of Course to be appointed, and the Trustees continuing still in the same Sentiment, do humbly request, that if it shall seem good to the House, it may be made an Instruction to that Committee to count all the Money, and report the Sum they shall actually find in the Trustees Hands: And we hope so good an Example of your Care for the Security of the Public Treasure, will be constantly followed by future Assemblies

CHARLES NORRIS,
THOMAS LEECH,
JAMES WRIGHT,
ABRAHAM CHAPMAN."

October 15, 1751

Ordered to lie on the Table.

Ordered, That *Joseph Trotter, Benjamin Franklin, George Ashbridge* and *James Wright* be a Committee of Grievances for the ensuing Year; and they have Power to send for Persons, Papers and Records.

Ordered, That *Edward Warner, Evan Morgan, John Smith, Benjamin Franklin, Hugh Roberts, Mahlon Kirkbirde, Thomas Cummings*, and *Peter Worral* be a Committee to audit, and

settle the Accounts of the General Loan-Office, and other Public Accounts, and to sink and destroy the Bills of Credit received in Exchange, pursuant to the late Paper Money Acts, and to count all the Money, and report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands; and they have Power to send for Persons, Paper and Records.

Resolved, That the *Two Thousand Pounds* lent by the second *Thirty Thousand Pound* Act for the Building of the State-house, be paid out of the Interest Money in the Trustees Hands, and carried to the Quota Account.

Then the House adjourned to Ten o'clock To-morrow Morning.

Resolved, That *Michael Lightfoot* be Treasurer of this Province for the ensuing Year.

Then the House adjourned to Three o'Clock, *P. M.*

Resolved, That this House will this Day adjourn to the second Day of the first Week of the Month called *February*.

Ordered, That *Calvin Cooper* and *Peter Worral* wait upon the Governor, and acquaint him, that the House inclines to adjourn to the second Day of the first Week of the Month called *February* next, if he hath no Objection to that Time.

Ordered, That the Superintendants of the State-house provide a Bell of such Weight and Dimensions as they shall think suitable. That the said Superintendants do apply to the Trustees of the General Loan-Office for an immediate Supply of such Sums of Money as they may judge necessary to remit to *Great-Britain* for the Purpose aforesaid: And that the Payment made in Pursuance of this Order, shall be allowed by the Committee of Accounts in their next Settlement with the said Trustees, who shall have a copy of this Order delivered to them, signed by the Clerk of this House, it required.

Ordered, That *John Smith* and *Benjamin Franklin* be a Committee to revise the Minutes before they are printed.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return and report, that they delivered the same according to Order, and that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment.

The Governor, by his Secretary, sent down sundry Accounts for Expences of the *Nanticoke Indians*, who came to *Philadelphia* on public Business this Summer.

Ordered, That the Sum of *Eight Pounds Fourteen Shillings* and *Four-pence* be allowed in full Discharge of those Accounts, *viz.*

To *Thomas Walker*, ...	£ 1	15	6
To *Thomas Lacy*, ...	0	14	10
To *Edward Kelly*, ...	0	10	0
To *Mary Burden*, ...	0	10	0
To *William Smith*, ...	0	8	8
To *William Dunwick*, ...	4	15	4
	£ 8	14	4

And an Order was accordingly drawn on the Treasurer, and signed by the Speaker by Order of the House, for the Payment of the same.

Resolved, That *Richard Patridge*, be Agent for this Province at the Court of *Great-Britain*, for the ensuing Year.

Resolved, That *Robert Charles* be allowed *Fifty Pounds Sterling*, as an Assistant to the Agent, for the ensuing Year.

Resolved, That *Benjamin Franklin* and *Hugh Roberts* be, with the Speaker, a Committee of Correspondence.

Resolved, That *One Hundred Pounds Sterling* be transmitted to the Agent, to lie in his Hands, to be account for hereafter.

Then the House adjourned to the second Day of the first Week of the Month called *February*.

THE House met pursuant to their Adjournment.

Ordered, That *Evan Morgan* and *Benjamin Franklin* wait upon the Governor, and acquaint him, that the House have met according to their Adjournment, and desire to know if he hath any Thing to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Message of Yesternight, report, that they had delivered the same according to Order; and that the Governor was pleased to say, "He had nothing to lay before the House at present, but if any Thing proper for their Condition should occur to him, during their Sitting, he would communicate it to Message."

John Woolston, *Henry Hockley* and *John Withero*, appearing in the House, took and subscribed the usual Qualification appointed by Law to be taken by the Members of Assembly.

A Petition from a considerable Number of the Inhabitants of *Reading-Town*, upon *Schuylkill*, was presented to the House and read, setting forth, that they had settled in the said Town, expecting it would be a great Place of Trade and

Business, and had put themselves to vast Expence in building and remove thither with their Families, several of whom left tolerable good Plantations; that though the said Town had not above one House in it about two Years ago, yet it now consists of One Hundred and Thirty Dwelling-houses, besides Forty-one Stables, and other Out-houses, and that there are One Hundred and Six Families, consisting of Three Hundred and Seventh-eight Persons, settled therein; that they have good Reason to believe that in another Summer they will be much encreased, as the chief Part of the Province that can be settled is already taken up, and the Settling of Towns will be of great Benefit to Tradesmen and others, who are not able to purchase Tracts of Land to live on; that they humbly conceive it to be for the Interest of the honourable Proprietaries, as well as themselves, and that unless this House will be pleased to erect some Part of the Counties of *Philadelphia*, *Chester* and *Lancaster* into a separate County, they shall be entirely disappointed of their Expectations, notwithstanding all the Cost and Trouble they have been at; that therefore they pray this House would take their Case into Consideration, and grant them Relief, by erecting such Parts of the said Counties as they shall think most proper, into a new County, with the same Privileges that the other Counties of this Province enjoy, and that the Seat of Judicature be fixed within the said Town of *Reading*.

Ordered to lie on the Table.

A Petition from a considerable Number of the Inhabitants of *New-Britain*, and the Parts adjacent, in the County of *Bucks*, was presented to the House and read, setting forth, that though the usual Method by Law directed for chusing six Assessors in a County was very sufficient when the said Law was made, yet now the Country is thick inhabited, it appears moraly impossible, that the said Number of Men in a County should know the Circumstances of the Settlers, so as to make any equal Assessment, though they act with the greatest Uprightness; that the Petitioners yearly see something of this more or less every where, and knowing that in their Mother Country there is an Assessor in every Parish, by whom the same is assessed, they therefore humbly propose to this House, that a Law may be enacted, to authorize every Township to choose an Assessor among themselves, and that the Assessment made in the Township be sent to the Commissioners, pursuant to their Warrant, certified by the Assessor, who also may appoint a responsible Collector, still reserving an Appeal, as usual, which the Petitioners

think would be less expensive than the many Conventions of Assessors now usual and necessary. And the Petitioners further propose, that as every Township is authorized to choose an Inspector on a certain Day in *September*, for the ensuing Election, they also may be allowed to choose an Assessor on the same Day; and that all the Inspectors so chosen may hereafter assist at the Election, as the Petitioners conceive eight are almost as insufficient as six Assessors; and though the late Act has happily prevented the Confusion which formerly sometimes happened, yet it hath not assisted the Sheriff to the greater Equity or Dispatch in his Business, the Petitioners having seen very able Freeholders greatly questioned, and others (perhaps making a better Figure) though insufficient, accepted, the Inspectors not being sufficiently acquainted with the Circumstances of the Electors. And the Petitioners further pray, that the Pound-Law may be revised, and proper Officers, as the Overseers of the Poor, or Overseers of the Highways, be appointed to cause such Pounds be be erected, *&c.* And the Petitioners likewise beg Leave to lay before this House as a Grievance, the Method used in attaching the Effects of Departers for Debts under *Forty Shillings*, in which Case, the several Creditors apply for several Attachments, whereby the Defendant's Effects are consumed in Charges, to the Detriment and Loss of the Creditors, and of the Defendant too, if ever he returns; and they therefore pray, that a Law may be enacted, to prevent the Issuing of any more than one Attachment against any such Departer, and provide that each of the Creditors may have a proportionable Share, as by the Law for the greater Attachment, is provided, and that the said Act may extend to *Five Pounds*. All which Particulars they pray this House to consider, and do therein, as to their Wisdom shall seem meet.

Ordered to lie on the Table.

A Petition from *John Ludgate*, a Prisoner in the County Goal of *Philadelphia*, complaining of Wrongs done him by his Partners, and praying that this House would grant him Relief therein, was presented to the House and read, and *Ordered to lie on the Table.*

Then the House adjourned to Three o'clock, *P. M.*

A Petition from sundry Inhabitants of the County of *York* was presented to the House and read, setting forth, that while this Province was in a State of Minority, the Assembly passed a Law for regulating and establishing the proper Fees to be taken by the several Officers belonging to the Courts of this Province; but since that Time Affairs are much altered,

and the Country is become much more populous, so that Officers Fees are extended beyond what (they presume) was at first designed, of which the Poor pay the greatest Part, though the most unable, and more especially so in those Back Parts, to which the Poor are drawn through Necessity; that it is found by Experience, the most inconsiderable Matter, which will bear an Action of Trial before a single Magistrate, with the Cost accruing thereon, will sometimes render the Defendant incapable of supporting his family without enduring pinching Difficulties; but much more, if a Matter of Moment is to be managed by the Sheriff, Prothonotary and Officers of an higher Order; that the Benefit arising from the Sheriff's Office. frequently occasions them to lay open Public Houses at the Time of Election, whereby many unthinking People are drawn into Excesses, which have often been attended with bad Consequences, as has heretofore appeared before the Assembly; they therefore pray that this House would take the Premises into serious Consideration, and grant a general Abatement of Fees for the County of *York*, especially of Sheriff's Fees, and that their Elections may be regulated. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'clock To-morrow Morning.

The Petition of divers Inhabitants of the Back Parts of *Philadelphia* County, and the adjacent Parts of *Chester* and *Lancaster* Counties, praying a Division of said Counties, which was by the last Assembly referred to the Consideration of the present, was read the first time, together with the Petition from the Inhabitants of the Town of *Reading*, both which said Petitions were referred to farther Consideration To-morrow Morning.

A Petition from sundry Inhabitants of the Back Parts of *Philadelphia* and *Lancaster* Counties, setting forth, that although their Grievances were laid before the Assemblies of this Province several Years past, and their Petition again renewed at the last Sitting of Assembly, yet as they find the Causes of their Complaint still continue growing, they humbly beg Leave further to represent, that they are settled at a very great Distance from the Place of Judicature, many of them not less than One Hundred Miles, which is a real Hardship upon those who are so unhappy as to be sued for Debts, their Charges in long Journeys, and sometimes in severe Weather, with the Officers Fees, amounting to near as much, if not more, than the Debts; that the Hardships on Jurymen, Con-

stables, &c. in being obliged to attend when required, is also very great; that now there is a new Town laid out by the Proprietaries Order, within fifteen Perches of the Division Line between *Philadelphia* and *Lancaster* Counties, and above One Hundred and Thirty Houses built, and near as many Families living therein, it is very easy for Rogues and others to escape Justice by crossing *Schuylkill*, which has already been their Practice for some Years; that though their Grievances when laid before the Assembly some Years past were not redressed, because of other weighty Affairs being at that Time under Consideration; yet the Prayer of their Petition was thought reasonable, and the Number of Petitioners being since doubled by the Increase of the Back Inhabitants; they therefore pray, that this House would grant Relief in the Premises, by erecting them into a separate County, bounded as to the Wisdom of the House shall seem best; was presented to the House and read, and *Ordered to lie on the Table.*

Then the House adjourned to Three o'Clock, *P. M.*

The Petition from the Inhabitants of the Upper Part of the County of *Bucks*, praying a Division of the said County, which was by the last Assembly referred to the Consideration of the present, was read the second time, and *Ordered to lie on the Table.*

The Petition of the Grand Jury of *Cumberland* County, relating to Officers Fees, referred to this Assembly by the last, was read the first time, and *Ordered to lie on the Table.*

The Petition from the Commissioners and Assessors of *Cumberland* County, relating to the Location of their County Town, referred to this Assembly by the last, was read the first time, and *Ordered to lie on the Table.*

A Representation, signed by sundry Inhabitants of the County of *Cumberland*, setting forth, that a Petition having been presented to the Assembly from the Inhabitants of the *Western* End of their County, asserting, that no good Waggon Road can possibly be had over the *North-Mountain* from *Shippensburgh* downwards; they the Subscribers had, in Company with *Daniel Williams*, one of their Representatives, viewed and considered the Gap, commonly called *Steven's Gap*, and find that by traversing the said Gap once or twice, all ordinary Waggon-loads may, with a small Expence, have an easy Passage over it, the whole Ascent being but sixty or at most seventy Perches; was presented to the House and read, and *Ordered to lie on the Table.*

The Bill for preventing Frauds, and also for the Examination of Witnesses in *Perpetuam Rei Memoriam*, &c. referred to the Consideration of this Assembly by the last, was read the first time, and *Ordered to lie on the Table.*

The Petition of *John Ludgate* was read the second time, and considered; and it appearing to the House to contain many groundless Assertions and Accusations, it was ordered to be dismissed.

Then the House adjourned to Ten o'clock To-morrow Morning.

Those Accounts of *George Croghan*, which were referred over to this Assembly, were read, and ordered to be referred to the Committee of Accounts.

A Petition from divers Inhabitants of this Province was presented to the House and read, setting forth, that the public Vendues for Goods and Merchandize in and near the City of *Philadelphia*, as now managed, are very prejudicial to the General Interest of the Province, and seldom of any real Advantage to Particulars; that thought the Vendue-Master, legally appointed and commissioned by the Governor, gives Security for the due Execution of his Office, and the Observation of the City Ordinances, yet some Persons who have lately taken upon them to hold Vendues in the City Liberties, and divers other Parts of the Province, are under no Rules or Restrictions whatsoever, acting solely by their own Authority, and have only to consult their own private Advantage; that instead of disposing of the Goods in large Lots, as (the Petitioners are informed) is customary in all other Parts where frequent Vendues are tolerated, they retail them out in small parcels to advance the Profits, whereby certain Persons, chiefly Strangers, who contribute nothing towards the Support of Government, have been encouraged to furnish them with constant Supplies, imported for that very Purpose; that from an ill grounded Opinion of the Cheapness of Goods at those Sales, ignorant People are frequently induced to lay out their Money at a great Disadvantage, giving high Prices for ordinary or damaged Goods, and Things they have no real Occasion for, to the Detriment of themselves and Families; that at present the Vendues being no other than Retail-shops, and held in public Places, are very injurious to all regular Dealers, whether Merchants or Shopkeepers, and if not brought under proper Restrictions, may make it necessary for all such to dispose of their Goods in the same Way, and pay Commissions to the Vendue-Masters for transacting their

Business, whilst they themselves want Employment, which would really be a very great Hardship; that there is Reason to believe those expeditious Sales for ready Money have been one great Occasion of the late extravagrant Importation of *English* Goods, which they humbly conceive ought, as far as may be, without giving Umbrage to our Mother Country, to be discouraged, as tending to bring the Province in Debt, and hurting the Credit of our Paper Currency, by raising the Exchange, which may put the Legislature at Home upon depriving us of so useful a Medium in Trade; they therefore pray this House would be pleased to take the same into Consideration, and grant them Leave to bring in a Bill for restraining the public Vendues to certain stated Times and Places, and preventing the Disposal of Goods by small Lots; with Exception to Goods taken in Execution for Debt, or distrained for Rent, and the Goods and Effects of Bankrupts and Persons deseased. *Ordered to lie on the Table.*

A Petition from sundry Inhabitants of *Chester* County, was presented to the House, and read, setting forth, that they humbly offer the following Particulars for the Consideration of this House, *viz.* 1. That by a Law of this Province, entituled, *An Act for raising County Rates and Levies*, it is enacted, "That the Assessors for the respective Counties, or any four of them, shall meet at the Day and Place where the Commissioners Precepts are made returnable, and then and there receive the Constables Returns, and shall thereupon, by the Oaths or Affirmations of the said Constables, or other credible Persons, or by any other lawful Ways or Means, inform themselves what Persons and Estates in their respective Counties are rateable by Virtue of the said Act, and shall forthwith equally and impartially assess themselves and all others, rateable as aforesaid." And as by the said recited Act, it doth not appear that the Assessors are enjoined to examine the Constables upon Oath or Affirmation, to the Veracity of their Returns, therefore that necessary Part of the said Act, for qualifying the Constables, has not been put in Practice in *Chester* County, whereby many People have concealed the major Part of their Estates, which has frequently occasioned great Inequality in the Assessments; they therefore pray the House would be pleased to cause that Part of the said Act to be put in Practice, by adding such a Clause as shall appear most proper, or otherwise enact, that the Constable of each Township shall annually cause the Inhabitants

to choose one Person, or more, to be their Assessor, who shall be qualified by the next Justice of Peace, and shall assess himself, and the Inhabitants of the Township, returning the Assessment to the Commissioners as usual. 2. That by a Law of this Province, entituled, *A Supplementary Act for raising of County Rates and Levies*, it is enacted, 'that the Commissioners and Assessors, with the County Treasurer, shall yearly exhibit to, and lay before, the Jutices and Grand Jury of the County, all the Books of Entries, and Accounts of the Monies by them, or any of them assessed and raised, by Virture of their several Offices, as also an Account to whom, and for what Use, the same Money was paid out again; which Books and Accounts, being seen and examined by the Justices and Grand Jury aforesaid, shall be delivered back without Alteration." By which Law it is apparent, that the Justices and Grand Jury are but Witnesses to the Acts and Accounts of the Commissioners and Assessors, they not having Authority to regulate and correct any Errors therein, whereby many Inadvertencies and Errors have escaped a due Correction, much to the Disadvantage and Damage of the Public; they therefore desire this House would be pleased to invest the Justices and Grand Jury, or the major Part of them, with full Power to regulate and adjust those Accounts 3. That as the taking of large Fees is of late much practiced, they therefore pray that this House would be pleased, by an Act of Assembly, to regulate and establish the Fees to be taken by the several Justices, Officers and Practitioners of Law in this Province. 4. That a Law of this Province, entituled, *An Act for erecting of Pounds, in each Township of this Province*, may be reenacted, with the necessary Amendments. 5. That it is found by Experience, that the determining of Debts under *Forty Shillings*, and not exceeding *Five Pounds*, by a Magistrate, at Public Houses of Entertainment, is very injurious to the poorer Sort of People, against whom Prosecution for such Sums are generally brought and who can scarcely pay the legal Fees arising by the Prosecution, and are often unable to bear the Expences which the Meetings at such Houses lead them into; that some Persons when heated with intoxicating Liquors, have, by the Instigation of busy Constables, taken out Process against their Neighbors, which at other Times they would not have done; they therefore pray that it may be enacted, that no Justice of the Peace shall (unless there appears a real Necessity) hear and de-

termine any Action for Debt, under *Forty Shillings*, and not exceeding *Five Pounds*, at any Public House of Entertainment whatsoever. 6. That many idle and loose Persons do frequently break down the Fences of divers of the Inhabitants, and ride and travel on Foot across their Inclosure, without Regard to the Season of the Year, much to the Prejudice of the Farmers and others; they therefore desire it may be enacted, that such Persons so offending, may be punished by one Magistrate, as Hedge-breakers usually are in *England*. 7. That many idle and loose Persons are found drinking and tippling in Taverns and Ale-houses on the first Day of the Week, called *Sunday;* they therefore pray that it may be enacted, that all Persons guilty of such Offences, may be punished, as in usual in the like Cases in *England*. 8. That the Petitioners humbly conceive, that the Laws now in Force, do not effectually debar petty Rum-sellers from the pernicious Practice of selling and delivering Spirits by the Quart, or larger Quantity, to one white Servant or *Negro*, at one Time, on the first Day of the Week; they therefore pray it may be enacted, that any Retailer of Rum, or other Spirits, distilled in this Province, who shall give or sell a Quart, or larger Quantity of such distilled Liquors, on the first Day of the Week, to any white Servant or *Negro* without Leave from his or her Master or Mistress, shall forfeit and pay for every such Offence such Sum of Money as to the Wisdom of this House shall seem most proper. *Ordered to lie on the Table.*

A Petition from the Overseers of the Poor of *Germantown* Township was presented to the House and read, setting forth, that on the Twenty-first Day of *August* last five *Nanticoke Indians*, travelling with another, said to be from *Albany*, on some Enmity or Difference, did, in the open Street in *Germantown*, shoot, wound and beat the said *Albany Indian* in so cruel a Manner, before any Assistance could come, that he was taken for dead; but some Life afterwards appearing in him, upon Application being made to the Chief Justice, who happened to be at his Country Seat in their Township. He ordered the said *Indian* to be taken Care of by the Petitioners; that even beyond Expectation, the said *Indian* was cured in about ten Weeks and four Days; that the said Cure, with Attendance and other Necessaries, amounts to a considerable Sum, an Account whereof they have hereunto annexed, and which they humbly presume ought to fall on the Public; and therefore pray this House would grant them Relief in the Premises. *Ordered to lie on the Table.*

The Petition of divers Inhabitants of the Back Parts of *Philadelphia* County, and the adjacent Parts of *Chester* and *Lancaster* Counties, praying a Division of the said Counties, was read the second time, and referred to farther Consideration.

The Petition from the Inhabitants of the Upper Part of the County of *Bucks*, praying a Division of that County, was read the second time, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The Petition of divers Inhabitants of *New-Britain*, relating to an Alteration of the Laws concerning Assessors, *&c.* was read the second time, and referred to farther Consideration.

The Petition of sundry Inhabitants of *York* County, praying an Abatement of Officers Fees, was read a second time, and referred to farther Consideration.

The Petition of the Grand Jury of the County of *Cumberland* relating to Officers Fees, was read a second time, and referred to farther Consideration.

The Petition from the Commissioners and Assessors of *Cumberland* County, concerning a Location of their County Town, was read the second time, together with the Representation from sundry Inhabitants of said County relating thereto; and they were both referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from the Loaf-bread Bakers of the City of *Philadelphia* was presented to the House and read, setting forth, that they apprehend themselves aggrieved by the Act now in Force for regulating the Assize of Bread, and that the said Act is attended with great Inconvenience to sundry of the Inhabitans of the City; that for some Years past the great Increase of the Inhabitants of this Province has occasioned the Price of what is commonly called Middlings and Coarse to arise so nigh the Price of Flour, that the Petitioners cannot possibly bake the same by the Assize in the said Act without manifest Loss to themselves, that, for Instance, at this present Time the Price of Flour in this City is *Thirteen Shillings* per Hundred, Middlings *Eleven Shillings* and *Six-pence*, and Coarse *Nine Shillings;* that great Numbers of the poor Inhabitants of this City, who cannot afford to buy a *Five-penny* Loaf at a Time have laid the Petitioners under a Necessity of baking smaller Bread to accommodate them with; they therefore pray that the Loaf-Bread Bakers of this City may,

for the better Convenience of the Inhabitants thereof, be permitted to bake Loaves (agreeable to proper Assize) at the following Prices, *viz. One-penny, Three-penny, Six-penny, Nine-penny* and *Twelve-penny;* and that the Clerk of the Market of this City may be obliged to act under the immediate Inspection of one or more of the Magistrates of this city for the due Regulation of Bread, as this House in their Wisdom shall judge meet. *Ordered to lie on the Table.*

The Petition and Account from the Overseers of the Poor of *Germantown* Township, were read the second time;

Ordered, that *Benjamin Franklin* and *Hugh Roberts* inspect the said Accounts, and report thereon to the House.

The Petition from divers Inhabitants of this Province, relating to Vendues, was read the second time;

Ordered, That the Petitioners have Leave to bring in a Bill according to the Prayer of their Petition.

The Petition from divers Inhabitants of *Chester* County, praying an Alteration of sundry Laws of this Province; and the Petition from the Inhabitants of *New-Britain,* likewise praying an Alteration of sundry Laws, were read, and considered, and referred to further Consideration in the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of those Paragraphs of the Petitions from *Chester* County, and *New-Britain,* which pray an Addition to the Number of Assessors in each County; and, after some Time spent therein, the Question being put, whether there should be an Assessor chosen for each Township? *Passed in the Negative.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Petition from the Loaf-bread Bakers of the City of *Philadelphia,* was read the second time;

Ordered, That *Edward Warner, Evan Morgan, Joseph Trotter, John Smith, Benjamin Franklin, Hugh Roberts, Griffith Owen, Henry Hockley* and *James Wright* be a Committee to consider the said Petition, and the Law of this Province relating to the Assize of Bread, and (if they think proper) to prepare and bring in a Bill for the Alteration or Amendment of the same.

Arthur Patterson, returned a Representative for *Lancaster* County, appeared in the House, and at the Table took and subscribed the usual Qualification by Law required to be taken by Members of Assembly and then took his Seat in the House accordingly.

The the House adjourned to the next *Second-day*, at Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The Petition from sundry Inhabitants of *New-Britain* was again read, and considered, together with that Paragraph of the *Chester* County Petition relating to Pounds; and, after some Time spent thereon,

Ordered, that *Joshua Morris*, *Hugh Roberts*, *Griffith Owen*, *Peter Dicks*, *James Wright*, *John Withero* and *Daniel Williams* be a Committee to consider that Part of the said Petitions, and also to inspect the Law relating to Pounds, and report their Opinion what Amendments may be necessary to be made therein.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from the Agents of the Petitioners of the Upper Parts of the County of *Bucks*, praying that the House would resume the Consideration of the Petition of the Inhabitants of the Upper Parts of the said County, for a Division thereof, was presented to the House and read, and *Ordered to lie on the Table.*

The Petition from the Commissioners and Assessors of the County of *Cumberland*, together with a Copy of a Return, said to be made by the Trustees of said County to the Governor, were again read, and considered;

Ordered, That the Clerk do make out a Copy of said Petition, and Return, and that *John Wright* and *Daniel Williams* do wait upon the Governor, and present the same for his Consideration.

The Paragraph of the Petition from *New-Britain*, which relates to Attachments for Debts under *Forty Shillings;* also Part of the Petition from *Chester County*, concerning the same, were read, and considered, with the present Laws relating to Attachments; and, after some Time spent therein,

Ordered, That *Edward Warner*, *Benjamin Franklin*, *Griffith Owen*, *Thomas Cummings*, *Arthur Patterson*, *John Wright* and *Daniel Williams* be a Committee to consider the same, and report their Opinion what Amendments may be proper to be made in the said Laws.

Then the House adjourned to Three o'Clock, *P. M.*

The second Paragraph of the Petition from *Chester* County, praying that the Justices and Grand Jury may be allowed to regulate and adjust the Accounts of the Commissioners and Assessors, was again read, and considered, and the Question

being put, Whether there should be any such Alteration in the present Law respecting the same? *Past in the Negative.*

That Article of the aforesaid Petition which relates to drinking and tippling in Taverns and Ale-houses on the first Day of the Week, and likewise the Article which relates to selling Strong Liquor to white and *Negroe* Servants on the said Day, were read;

Ordered, That *Evan Morgan*, *Mahlon Kirkbride*, *George Ashbridge*, *Peter Worral* and *John Withero* be a Committee to consider thereof, and report their Sentiments thereon to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from a considerable Number of Inhabitants of the City and County of *Philadelphia*, was presented to the House and read, setting forth, that for more than Twenty Years past there hath been no considerable Addition to our Paper Currency, though the Number of Inhabitants and Trade of this Province hath in that Time greatly increased; that the Gold which was heretofore current among us, is nearly expended in making Returns to *Great-Britain*, and the remaining Silver is yearly carried Home in great Quantities, for the same Purpose, so that great Difficulties are daily experienced in carrying on the common Traffick and mutual Commerce of the Inhabitants, for Want of a sufficient Medium in Trade; that the Term in which the present Paper-Money may by Law be re-emitted, draws towards a Conclusion, when it must of Course be sunk and destroyed, and inevitable Ruin thereby brought on our Trade, unless suitable Measures are taken to prevent it; they therefore pray that this House would take the Premises into consideration, and prepare a Bill for extending the said Term of Re-emission of our present Paper Currency, and for striking such further Sum in Addition thereto, as the great Increase of our People and Commerce seem to require. *Ordered to lie on the Table.*

A Petition from sundry Inhabitants of the City of *Philadelphia* was presented to the House and read, setting forth, that the Practice of Gaming in Public Houses is now become very general, especially amongst the Apprentices, and other young People of the said City; that many sad Instances are almost daily seen of its pernicious Effects, as well in the Corruption of the Morals, as the Impoverishment and often total Ruin of those Frequenters of Public Gaming Houses; and there not being any sufficient Laws now in Force in this

Province against Gaming; they therefore pray this House would take the Premises into Consideration, and make such a Law for the more effectual suppressing of all Gaming at Cards and Dice in Public Houses, and also Billiard-tables (now grown very numerous) as to them shall seem meet and expedient. *Ordered to lie on the Table.*

The Petition from the Inhabitants of the Town of *Reading*, together with the Petition from a considerable Number of the Inhabitants of the Back Parts of *Philadelphia* County, and the adjacent Parts of *Chester* and *Lancaster* Counties, praying a Division of said Counties, were again read, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait on the Governor with a Copy of the Petition from the Commissioners and Assessors of the County of *Cumberland*, and a Copy of the Paper, said to be a Copy of the Return of the Trustees of said County to the Governor, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would consider them.

A Petition from divers Inhabitants of the City and County of *Philadelphia* was presented to the House and read, setting forth, that the great Number of Dogs kept in and about the said City, are become a great and dangerous Nuisance; that many of them being under no Command, have, by running out at Travellers and Horses, been the Occasion of the Death of one Woman, and breaking the Bones of several other Persons; that the Number of useless and mischievous Dogs increases continually; that the Damage by them done to cattle is very great and notorious, several Hundred sheep having been destroyed within these last four Years; that the Damage done by mad Dogs is also considerable; that the Mischiefs aforesaid have been chiefly committed by Dogs belonging to the said City and Suburbs, Servants and *Negroes* taking the Liberty to walk out of Town, more especially on the first Day of the Week, attended by Dogs under no Command or Care; that many of the Petitioners have themselves, for several Years past, suffered heavy Losses in Manner aforesaid; and therefore pray that the Premises may be taken into serious and timely Consideration, and such Relief granted therein as to this House shall seem most expedient. *Ordered to lie on the Table.*

The House resumed the Consideration of the Petitions from *Reading-Town*, and from the Inhabitants of the Back Parts

of *Philadelphia*, and the adjacent Parts of *Chester* and *Lancaster* Counties, praying a Division, *&c.* and, after some Time spent therein, the same was referred to further Consideration.

Ordered, That the Superintendants of the State-house do provide a suitable Ink-stand of Silver for the Use of the Speaker's Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Speaker laid before the House some Accounts from *Richard Patridge*, Esq; Agent of this Province, which were read, and with those laid before the House at last Sitting, were referred to the Committee of Accounts.

The House resumed the Consideration of the Petition from *Reading-Town*, and from the Inhabitants of the Back Parts of *Philadelphia*, and the adjacent Parts of *Chester* and *Lancaster* Counties, praying a Division, *&c.* and, after some Time spent thereon,

Resolved, That the Petitioners have leave to bring in a Bill, pursuant to the Prayer of their Petition.

Then the House adjourned to Three o'Clock, *P. M.*

According to Leave given, a Bill was brought into the House for the better regulating of Vendues, and the same was read the first time, and *Ordered to lie on the Table.*

The Petition from divers Inhabitants of *Philadelphia* County and City, relating to Paper Currency, was read the second time, and referred to further Consideration.

The Petition from sundry Inhabitants of the City of *Philadelphia*, relating to Gaming, was read the second time, and referred to further Consideration.

The Petition from divers Inhabitants of the City and County of *Philadelphia*, relating to the Mischiefs done by Dogs, was read the second time, and referred to further Consideration.

The House being informed that some of the Petitioners of the Back Parts of *Philadelphia* County, and the adjacent Parts of *Chester* and *Lancaster* Counties, were attending, and desired leave to be heard, respecting the Bounds which they understood the House proposed for a new County, in case it should be granted.

Ordered, That the said Petitioners have Leave to be heard before this House;

And being called in, they gave their Objections to those Bounds; and having answered such Questions as were put to

them by the House relating to the same, they were ordered to withdraw.

The Petition from the Agents of the Petitioners of the Upper Parts of the County of *Bucks*, was read the second time, and considered;

Resolved, That the said Petitioners have Leave to bring in a Bill for dividing the said County.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from divers Inhabitants of the City of *Philadelphia* was presented to the House and read, setting forth, that at the first Settlement of this Province, the worthy Founder wisely intended to give every Part of the Inhabitants a Share in the Legislative Government thereof, agreeable to natural Equity; that in the Infancy of the said City, when the Number and Wealth of its Inhabitants were small, compared with the Counties, and its foreign Trade, very inconsiderable, two Representatives might then be deemed near a Proportion; but since by the great Increase of the Inhabitants, and Settlement of Merchants and Artificers, the Trade of the Province had chiefly centered in the said City, and the Advantage of its Commerce and Navigation being more extensive and important, they humbly conceive a considerable Addition to the Number of its Representatives both equitable and necessary; that it is evident since the late division of Counties, and in Consequence an additional Number of County Members, how unequally the said City, being the Metropolis of the Province, is represented by two Members only, and how much its equitable Share in Government is diminished; and therefore praying this House would grant them Relief in the Premises, by making such an Addition to the Number of Representatives for the said City, as they in their Wisdom shall judge reasonable. *Ordered to lie on the Table.*

A Petition from divers Merchants, and others, of the City of *Philadelphia*, was presented to the House and read, setting forth, that Staves, Heading, Boards, Plank and Shingles, mostly brought to this Market from the neighbouring Governments, are become a considerable Branch of our Trade to foreign Markets; that no sufficient Law is now in Force to regulate the Dimensions and Qualities thereof; that for Want of such a Law, and of proper officers appointed to inspect, count and measure those Commodities, the Credit thereof is much declined Abroad, and Abuse and Disputes often arise here, to the great Prejudice of the Dealers therein; they there-

fore pray Leave to bring in a Bill to prevent further Inconveniences in the Premises, or that this House would grant them Relief in such other Manner as may appear most conducive to the Credit and Interest of the Trade of this Province. *Ordered to lie on the Table.*

A Petition from *William Clark*, of the City of *Philadelphia*, Cooper, praying, that if this House should see Occasion to make a Law for the better regulating of Staves, Heading, *&c.* that he may be appointed the Officer to inspect the Culling those Commodities, was presented to the House and read; and,

A Recommendation of the said *William Clark*, signed by sundry Merchants of *Philadelphia*, was also read. *Ordered to lie on the Table.*

The Petition from sundry Inhabitants of the City and County of *Philadelphia*, relating to Paper Currency, was read the third time; and, after some Time spent in Consideration thereof,

Ordered, That *Edward Warner*, *John Smith*, *Benjamin Franklin*, *Hugh Roberts*, *John Woolston*, *Joseph Gibbons*, *Arthur Patterson*, *John Withero* and *Daniel Williams* be a Committee to prepare and bring in a Bill for re-emitting and continuing the Currency of the Bills of Credit of this Province, and for striking a further Sum to be made current, and emitted on Loan.

Then the House adjourned to Three o'Clock, *P. M.*

A Petition from *Hugh Forbes*, Cooper, of the City of *Philadelphia*, praying, that if this House should make a Law for better regulating of Staves and Heading, he might be appointed the Officer for putting that Law in Execution, was presented to the House and read, and *Ordered to lie on the Table*

A Petition from *Stephen Stapler*, of the City of *Philadelphia*, Cooper, praying to be appointed the Officer to inspect the Culling of Staves and Heading, in case a Law for that Purpose should pass this House, was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from *John Nicholas*, of the City of *Philadelphia*, House-carpenter, setting forth, that he is informed sundry Merchants, and others, have preferred a Petition to this House for obtaining an Act for measuring and viewing of Timber and Boards, that none but what is merchantable may be exported to foreign Markets, and to appoint an Inspector or Officer to measure or superintend the Measuring such Com-

modities; and therefore praying, if this House should pass a Law for that Purpose, he may be appointed the Officer for putting the same in Execution, was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from *Phineas Roberts* of the City of *Philadelphia*, Cooper, praying, that if the House should see Cause to make a Law for the Regulation of Staves and Heading, he may be appointed the Officer to superintend the Cullers thereof, was presented to the House and read. *Ordered to lie on the Table.*

A Petition from *Isaac Garriques*, of the City of *Philadelphia*, Cooper was presented to the House and read, praying to be appointed the Officer to oversee the Culling of Staves and Heading, in case this House should pass a Law for that Purpose; and

A Recommendation of the said *Isaac Garriques*, from sundry Merchants of the City of *Philadelphia*, was also read, and both were *Ordered to lie on the Table.*

The Committee appointed to inspect the Laws of this Province which relate to tippling and drinking in Taverns and Ale-houses on the first Day of the Week, and also the Laws relating to selling of Liquors to white and *Negro* Servants on the said Day, made their Report in Writing, which was read, and follows in these Words, *viz.* We the Committee appointed to inspect the Laws of this Province, respecting tippling and drinking in Taverns and Ale-houses on the first Day of the Week, do find, that there is a Law now in Force, entituled, *An Act to restrain People from Labouring on the first Day of the Week*, wherein there is a Clause laying a Fine on all People found tippling and drinking on that Day of the Week, and on the Inn-keepers that so entertain them.

And also a Paragraph in a Law, entitled, *A Supplementary Act to a Law of this Province*, entituled, *An Act that no Public-house or Inn within this Province, be kept without Licence*, laying a Fine on all Retailers that shall, under any Pretence whatsoever, sell, barter with, or deliver any Rum, Brandy, or other spirituous Liquors, to be drank by Companies of *Negroes*, Servants, or others; which Laws, if duly put in Execution, would, in a good Degree, remedy the Aggrievances complained of.

EVAN MORGAN,
MAHLON KIRKBRIDE,
GEORGE ASHBRIDGE,
PETER WORRAL,
JOHN WITHERO."

The Committee appointed to consider the Petitions concerning Attachments, and the Laws of this Province relating thereto, made their Report in Writing, which was read, and referred to further Consideration To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from *Thomas Carpenter*, of the City of *Philadelphia*, Cooper, was presented to the House and read, setting forth, that he is informed a fit and capable Person to seper-vise the Cullers of Staves and Heading is about to be nominated by this House, therefore prays he may be appointed to that Office. *Ordered to lie on the Table.*

A Petition from *Jacob Lewis*, of the city of *Philadelphia*, Carpenter, praying, that if the House should pass a Law for inspecting and measuring the Timber shipped from the said City, he may be appointed the Officer for that Purpose; was presented to the House and read. *Ordered to lie on the Table.*

A Petition from *Joseph Huddell*, of the City of *Philadelphia*, Cooper, was presented to the House and read, praying, that if the House should pass a Law for the regulating of Staves and Heading, he may be appointed the Officer for putting the said Act in Execution. *Ordered to lie on the Table.*

The House resumed the Consideration of the Report of the Committee relating to Attachments;

Ordered, That the same Committee do prepare and bring in a Bill for the Purposes mentioned in the said Report.

Then the House adjourned to next *Second-day*, at Three o'Clock, *P. M.*

The House met pursuant to their Adjournment.

A Petition from *James Peller*, of the City of *Philadelphia*, Shipwright, praying to be appointed the Officer for measuring Timber and Plank, in case a Law should pass this House for that Purpose; was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from *Benjamin Betterton*, of the City of *Philadelphia*, Cooper, setting forth, that he is informed Application has been made to this House, to nominate a fit and skilful Person to be an Inspector or Superintendant over the Cullers of Staves and Heading, and praying that this House would please to appoint him the Officer for said Purpose; was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from divers Inhabitants of *Chester* County, praying a Re-emission and further Addition to the present Quan-

tity of Paper Currency of this Province; was presented to the House and read, and *Ordered to lie on the Table.*

The Petition from sundry Inhabitants of the City of *Philadelphia*, against Gaming Houses, was read the third time;

Ordered, That *Evan Morgan*, *Hugh Roberts*, *Mahlon Kirkbirde*, *Peter Dicks*, *James Wright*, *John Wright* and *Daniel Williams* be a Committee to prepare and bring in a Bill for suppressing of Gaming and Gaming-houses.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Bill for erecting the Back Parts of *Philadelphia* County, and the adjacent Parts of *Chester* and *Lancaster* Counties, into a separate County, was read the first time, and *Ordered to lie on the Table.*

A Bill for erecting the *North-West* Part of *Bucks* into a separate County, was read the first time, and *Ordered to lie on the Table.*

The Committee appointed to inspect the Laws relating to Pounds, made their Report in Writing, which was read, and *Ordered to lie on the Table.*

The Petition from sundry Inhabitants of *Chester* County, relating to Paper Currency, was read the second time, and referred to the Committee already appointed to bring in a Bill for the Purposes mentioned in said Petition.

The Petition from *Chester*, *York* and *Cumberland* Counties, relating to Officers Fees, were again read, and considered, and, after some Time spent thereon,

Ordered, That *Joshua Morris*, *Henry Pawling*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Joseph Hamton*, *Thomas Cummings*, *James Wright*, *John Wright* and *Daniel Williams* be a Committee to enquire into the State of the Laws of this Province relating to Fees, and report thereon to the House.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Petition relating to Inspectors, and, after some Time spent thereon, it was referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Bill for striking the Sum of to be made current, and emitted on Loan, within this Province, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, was read the first time, and ordered a second Reading.

The Petition from divers Merchants and others, of the City of *Philadelphia*, relating to Staves, Planks, *&c.* was read the second time;

Ordered, That the Petitioners have Leave to bring in a Bill, pursuant to the Prayer of their Petition.

The Petition from divers Inhabitants of the City of *Philadelphia*, praying an Addition to the Number of Representatives for said City, was read the second time, and referred to further Consideration.

The House resumed the Consideration of the Petitions relating to the Choice of Inspectors, and, after some Time spent thereon,

Ordered, That *Joshua Morris*, *Hugh Roberts*, *John Woolston*, *George Ashbridge*, *James Wright*, *John Wright* and *Daniel Williams* be a Committee to bring in a Bill for remedying the Inconveniences set forth in the said Petition.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That the Superintendents of the State-house do build a suitable Room, adjoining to the *South-East* Corner of said Building, for the Accommodation of the Committees of this House.

Ordered, That Candles be brought in.

The Bill for erecting Part of the Counties of *Philadelphia*, *Chester* and *Lancaster* into a separate County, was read the second time, and considered, Paragraph by Paragraph, and after some Debate, ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for erecting the *North-West* Part of *Bucks* into a separate County, was read the second time, Paragraph by Paragraph, and ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock *P. M.*

The Bill for erecting Part of the Counties of *Philadelphia*, *Chester* and *Lancaster*, into a separate County, being transcribed, was read the third time, and, upon the Question,

Resolved, That the Bill do pass.

Ordered, That *Henry Pawling* and *George Ashbridge* do carry up the same to the Governor, and desire his Concurrence thereto.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Bill for erecting Part of the Counties of *Philadelphia*, *Chester* and *Lancaster* into a separate County, reported, that they had delivered the same according to Order, and that the Governor was pleased to say, he would give it all the Dispatch he could.

A Bill for regulating the Assize of Bread, was read the first time, and ordered a second Reading.

The Committee appointed to consider the Laws relating to Fees, made their Report in Writing, which was read;

Ordered, That the same Committee do prepare and bring in a Bill, agreeable to their Report.

The Bill for erecting the *North-West* Part of *Bucks* into a separate County, being transcribed, was read the third time;

Resolved, That the Bill do pass.

Ordered, That *Richard Walker* and *Joseph Hamton* do carry up the same to the Governor for his Concurrence.

The Bill for striking the Sum of to be made current and emitted on Loan within this Province, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, was read the second time, and considered, Paragraph by Paragraph, and the further Consideration thereof referred to the Afternoon.

Then the House adjourned to Three o'Clock *P. M.*

By the Leave of the House a Bill was brought in for preventing Disputes about the Dates of Conveyances and other Instruments and Writings, which was read the first time, and ordered to lie on the Table for the Perusal of the Members.

A Petition from *Giles Lawrence*, of the City of *Philadelphia*, Joiner, praying to be appointed the Officer for measuring of Timber, Plank, *&c.* was presented to the House and read, and *Ordered to lie on the Table.*

The House resolved itself into a Committee of the whole House, upon the Bill for striking the Sum of to be made current, and emitted on Loan, within this Province, and for re-emitting and continuing the Currency of the Bills of Credit of this Province; and, after some Time spent thereon, the Speaker resumed the Chair, and *Thomas Chandler*, Chairman, reported from the Committee, that they had come to the following Resolutions, *viz.* That there should be the Sum of *Forty Thousand Pounds* struck, in Addition to the Paper Currency of this Province; to which the House agreed, and ordered the Sum to be inserted in the Bill.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Bill for erecting the *North-West* Part of *Bucks* into a separate County, report, that they had delivered the same, according to Order; and that the Governor was pleased to say, he would give it all the Dispatch in his Power.

The House resumed the Consideration of the Bill for striking the Sum of *Forty Thousand Pounds*, &c. and, after some Time spent therein, it was ordered to be transcribed for a third Reading.

Then the House adjourned to next *Second-day*, at Three o'Clock, *P. M.*

The House met pursuant to their Adjournment.

The Petition from divers Inhabitants of the City and County of *Philadelphia*, relating to the great Increase of Dogs, was again read;

Ordered, That *Edward Warner*, *Hugh Evans*, *Evan Morgan*, *Joseph Trotter*, *John Smith*, *Benjamin Franklin* and *Hugh Roberts* be a Committee to prepare and bring in a Bill for the Purposes mentioned in the said Petition.

The Report of the Committee relating to Pounds, was again read;

Ordered, That the same Committee do prepare and bring in a Bill, agreeable to the said Report.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for regulating of Vendues, was read the second time, and considered, Paragraph by Paragraph;

Ordered, That the Bill be committed for Amendment to *Edward Warner*, *John Smith*, *Benjamin Franklin*, *Hugh Roberts*, *Mahlon Kiribride*, *George Ashbridge*, *James Wright*, *John Wright* and *Daniel Williams*.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to inspect the Accounts of *George Croghan*, made their Report in Writing, which was read, and ordered to lie on the Table for the Perusal of the Members.

A Bill for directing the Choice of Inspectors, and for repealing and amending several Acts of Assembly of this Province, was read the first time, and *Ordered to lie on the Table.*

A Proposal from sundry substantial Freeholders of the City of *Philadelphia*, offering to sign the Bills of Credit, intended to be issued by the Law now under Consideration, and to contribute such Sums of Money as may by Law become due to them for that Service, towards increasing the Capital Stock of the Hospital for the Relief of the sick Poor, was presented to the House and read.

The Bill for striking the Sum of *Forty Thousand Pounds*, &c. being transcribed, was read the third time; and the Names of the Persons offering to sign the Bills being inserted;

Resolved, That the Bill do pass.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from divers Inhabitants of *Chester* County was presented to the House and read, setting forth, that they are very sensible of the great and general Benefit arising from the Law made for the Recovery of Debts, not exceeding *Five Pounds*, to the Inhabitants of this Province; that they humbly conceive, were an Act passed for Recovery of Debts not exceeding *Ten Pounds*, in Manner of the aforesaid Act, with a greater Allowance of Time for Payment, it would be of yet greater Benefit to the Inhabitants aforesaid, as it would lessen the Costs and Charges of such Suits as are carried on through the Courts, and prevent long and expensive Journeys to the remote Inhabitants. *Ordered to lie on the Table.*

A Bill for regulating Attachments under *Five Pounds*, was read the first time, and ordered a second Reading.

Ordered, That *John Smith* and *Hugh Roberts* do wait upon the Governor, and deliver the Bill for striking the Sum of *Forty Thousand Pounds*, &c. and desire his Concurrence thereto.

The Bill for regulating the Assize of Bread, was read the second time, Paragraph by Paragraph, and ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait on the Governor with with the Bill for striking the Sum of *Forty Thousand Pounds*, report, that they had delivered the same according to Order; and that the Governor was pleased to say he would give it all the Dispatch possible.

A Petition from divers Merchants of the City of *Philadelphia*, was presented to the House and read, praying Leave to insert a Clause in the Bill the House have allowed them to bring in for regulating Staves, Lumber, *&c.* to appoint an Officer to inspect and measure Wheat, *Indian* Corn and other Grain, brought to this Market by Water for Exportation;

Ordered, That the said Petitioners have Leave to insert a Clause in the Bill they are to bring in, for the Purposes mentioned in their Petition.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Report of the Committee relating to *George Croghan's* Accounts, was again read, and agreed to, *viz.* That he should be allowed *Forty-nine Pounds Six Shillings* for his Disbursements among the *Indians*, and *Thirty Pounds* for bringing *Samuel Saunders* to Justice; and an Order was accordingly drawn on the Treasurer, and, by Order of the House, signed by the Speaker, for the Payment of the same.

The Committee appointed to consider the Accounts of the Overseers of the Poor of *Germantown* Township, report, that it is their Opinion, the Sum of *Twelve Pounds Four Shillings* and *Ten-pence* be allowed in full, for Discharge of the same; and also that the Sum of *Fifteen Pounds* be allowed to Doctor *Charles Bensel*, in full of his Account for Medicines and Attendance in the Cure of the wounded *Indian*.

To which the House agreed; and Orders for Payment thereof were accordingly drawn, and signed by the Speaker.

Ordered, That *Edward Warner* do, with the Speaker, examine the Accounts of the late Superintendent of the State-house, and report thereon at the next Sitting of this Assembly.

A Bill for regulating of Fees was read the first time, and ordered a second Reading.

The Bill for regulating Attachements under *Five Pounds*, was read, and considered, and referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Bill for suppressing of Gaming, made a Report in Writing, which was read, and is as follows, *viz.*

WE the Committee appointed to prepare a Bill for suppressing the Practice of Gaming and Gaming-houses (so justly complained of by the Inhabitants of the City of *Philadelphia* in their late Petition) have examined the several Statutes of *Great-Britain* relating to Gaming; and although it appears that the Legislature there have taken Care to provide Laws from Time to Time against that great Evil; yet we observe, from the King's late Speech to the Parliament, that those Laws have not fully answered the good Purposes designed: Therefore, as we have Reason to hope the Parliament will speedily make such further Provision as to put a Stop to that growing Vice, we are of Opinion, that if the Consideration of the Bill is referred over to the next Sessions of Assembly, we may by that Time be informed of the Proceedings of Parliament therein, which may the better enable us to frame a Bill to suppress the Practice of Gaming in this Province: But if the House do, nevertheless, think fit to make some Provision against it in a Law, at this Time, the Committee will proceed to bring in a Bill accordingly, agreeable to the Order of the House.

EVAN MORGAN, PETER DICKS,
HUGH ROBERTS, JAMES WRIGHT,
MAHLON KIRKBRIDE, JOHN WRIGHT."

Ordered, That the said Committee do prepare a Bill for the Purposes above mentioned against the next Sitting of Assembly.

The Bill to prevent Disputes about the Dates of Conveyances and other Instruments and Writings, was read the second time, Paragraph by Paragraph, and ordered to be transcribed for a third Reading.

A Bill to prevent the Exportation of Wheat, Indian Corn, Flaxseed and other Grain, and of Shingles, Staves, Heading, Boards and Timber, not merchantable, and to appoint an Officer to measure Salt imported into this Province, being brought into the House, pursuant to Leave given, was read the first time, and ordered a second Reading.

The House being informed by some of the Members, that the Corporation of the City of *Philadelphia* had hitherto appointed an Officer for measuring of Wheat, Indian Corn and Flaxseed, also one for measuring of Salt; the Clerk was ordered to give Notice to the Petitioners, that they acquaint the Corporation with what is contained in the above Bill with respect to those Officers, that they may be heard thereupon if they think fit.

The Bill for regulating Attachments under *Five Pounds*, was read, and considered, Paragraph by Paragraph, and ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill to regulate the Assize of Bread being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Hugh Evans* and *Joshua Morris* do wait upon the Governor with the same, and desire his Concurrence thereto.

The Petition of divers of Inhabitants of *Chester* County, praying that the Act for the Recovery of Debts not exceeding *Five Pounds* before a single Magistrate, may be made to extend to *Ten Pounds*, was read the second time, and *Ordered to lie on the Table.*

The Bill for the Discovery of Frauds, and for the Examination of Witnesses in *perpetuam Rei Memoriam*, &c. was read the second time, and *Ordered to lie on the Table.*

Then the House adjourned to Ten o'clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Bill for regulating the Assize of Bread, reported, that

they had delivered the same accordingly, and that the Governor was pleased to say, he would give it all the Dispatch in his Power.

The Bill to prevent Disputes about the Dates of Conveyances and other Instruments and Writing, being transcribed, was read the third time;

Resolved, N. C. D. That the Bill do pass.

The Bill for regulating Attachments under *Five Pounds*, being transcribed, was read the third time;

Resolved, N. C. D. That the Bill so pass.

Ordered, That *Edward Warner* and *James Wright* do wait on the Governor with the said Bills, and desire his Concurrence.

Daniel Williams has Leave to be absent the Remainder of this Sitting on urgent Business.

A Petition from *James Claypoole*, of the City of *Philadelphia*, praying to be nominated the Officer for measuring of Timber and Plank, if the House should pass the Bill now before them for that Purpose: was presented to the House and read, and *Ordered to lie on the Table.*

Then the House adjourned to next *Second-day* at Three o'clock *P. M.*

The House met pursuant to their Adjournment.

The Gentlemen appointed to wait on the Governor with the Bill for preventing Disputes about the Dates of Conveyances, &c. and the Bill for regulating Attachments under *Five Pounds*, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he would give them all the Dispatch he could.

Ordered, That Candles be brought in.

The Bill for regulating and establishing Fees, was read the second time, and debated, and, after some Time spent therein, it was referred to further Consideration.

Then the House adjourned to nine o'clock To-morrow Morning.

The Bill for directing the Choice of Inspectors, &c. was read the second time, and, after some Debate thereon, it was referred to further Consideration.

Then the House adjourned to Three o'clock *P. M.*

A Bill, entituled, *A Supplement to the Act*, entituled, *An Act for erecting of Pounds in each Township of this* Province, was read the first time, and ordered a second Reading.

The House resumed the Consideration of the Bill for directing the Choice of Inspectors, and for repealing and amending several Acts of Assembly of this Province; and the same being read, Paragraph by Paragraph, was, after some Amendments, and an Alteration in the Title, ordered to be transcribed, for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for directing the Choice of Inspectors in the Counties of Chester, Lancaster, York, Cumberland, Berks and Northampton, being transcribed, was read the third time, and upon the Question.

Resolved, That the Bill do pass.

Ordered, That *Joshua Morris* and *James Wright* do wait on Governor with the said Bill for his Concurrence.

A Petition from *Jacob Shoemaker*, of the City of *Philadelphia*, Turner, setting forth, that he is informed there is a Bill now before the House to appoint an Officer for the Inspecting and Measuring of Grain and Seed in this City, therefore praying he may be appointed the said Officer, was presented to the House and read, and *Ordered to lie on the Table.*

The Bill, entituled, *A Supplement to the Act*, entituled, *An Act for erecting of Pounds in each Township of this Province*, was read the second time, and referred to farther Consideration.

The Gentlemen appointed to wait on the Governor with the Bill for directing the Choice of Inspectors, &c. return and report, that they had waited on the Governor, and delivered the same according to Order, and that the Governor was pleased to say, he would take it immediately under Consideration, and give it all the Dispatch possible.

Then the House adjourned to Three o'clock, *P. M.*

The Speaker is requested to procure, for the Use of the House, as many of the Laws of the neighboring Provinces as can be had, and such other suitable Law Books as he may think necessary; and the Trustees of the Loan-Office are directed to supply the Cost, to be allowed by the Committee of Accounts.

The House resumed the Consideration of the Bill, entituled, *A Supplement to the Act*, entituled, *An Act for erecting of Pounds*, &c. and, after some Debate thereon, ordered it to transcribed for a third Reading.

Then the House adjourned to Nine o'clock Tomorrow Morning.

The Secretary attending without, was called in, and, addressing himself to the Speaker, said,

"S I R,

I have the Governor's Order to acquaint the House, that, to the best of his Remembrance, he never saw any Paper from the *Cumberland* Trustees, such as is referred to by the Petitioners, and therefore admires at the Boldness of the Petitioners, who must have asserted that Fact upon Hearsay."

The Secretary brought down the Bill to prevent Disputes about the Dates of Conveyances, *&c.* which he said the Governor was ready to pass into a Law.

He also delivered the Bill to regulate the Assize of Bread, with a proposed Amendment, and said, the Governor was also ready to pass that Bill into a Law, in case the House agreed with his proposed Amendment.

The Secretary farther said, that the Governor directed him to acquaint the House, that he should give the other Bills under his Consideration all the Dispatch in his Power.

Then the Secretary withdrew.

The proposed Amendment of the Bill to regulate the Assize of Bread, being read, was agreed to, and inserted at the Table, and ordered to be engrossed therewith.

The Bill to prevent Disputes about the Dates of Conveyances, *&c.* was likewise ordered to be engrossed.

A Bill for preventing Bribery and Corruption in the Election of Sheriffs and Coroners within this Province, was read the first time, and ordered a second Reading.

The Bill, entituled, *A Supplement to the Act*, entituled, *An Act for regulating of Pounds*, being transcribed, was read time, and, upon the Question,

Resolved, That the Bill do pass.

Ordered, That *Peter Dicks* and *Arthur Patterson* do wait on the Governor with the said Bill, for his Concurrence.

The House resumed the Consideration of the Bill for regulating and establishing of Fees, and, after some Time spent therein, it was referred to farther Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait on the Governor with the Bill, entituled, *A Supplement to the Act*, entituled, *An Act for regulating of Pounds*, reported, that they had delivered the same according to Order, and that the Governor

was pleased to say, he would consider it, and give it all the Dispatch in his Power.

A Bill for the laying a Tax on Dogs, kept within the City of *Philadelphia*, and the Townships of the *Northern Liberties*, *Passyunk* and *Moyamensing*, and for the better Support of the Poor within the said City and Townships, was read the first time, and ordered a second Reading.

The House resumed the Consideration of the Bill for regulating Fees, and, after some Time spent thereon, it was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for preventing Bribery and Corruption in the Election of Sheriffs and Coroners within this Province, was read the second time, Paragraph by Paragraph, and ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by his Secretary, send down the Bill for erecting Part of *Philadelphia*, *Chester* and *Lancaster* Counties into a separate County, and the Bill for erecting the *North-west* Part of *Bucks* into a separate County, with some Amendments; and the Bill for directing the Choice of Inspectors, *&c.* with one Amendment, all which were read, agreed to by the House, and ordered to be engrossed with the said Bills.

The Secretary also delivered the Bill for striking *Forty Thousand Pounds*, *&c.* with a Message, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'WHEN I consider, that by our strongest Solicitations, and with great Difficulty, this and the *Southern* Colonies were saved out of the late Act of Parliament, restraining the *Northern* Colonies from creating or re-emitting any Bills of Credit, except on sudden and extraordinary Emergencies; and that this Favour was shewn to us in particular by the *British* Parliament, upon Representations made on our Behalf, that we had never exceeded the Bounds of Moderation with regard to the Quantities by us made; and that the last Emission was of only the Sum of *Eleven Thousand One Hundred* and *Ten Pounds;* I cannot think it advisable, at this Time, when those Representations are fresh in the Memory of that honourable Board, to whose Consideration, it is well known, all our Laws are referred, to offer the Crown an Act of Assembly, not only for the re-emitting our present Cur-

rency for a long Term of Years, but for a new Emission of a larger Sum than was ever at one Time made in the Province; because I am apprehensive that such a Conduct may probably subject us to the Displeasure of his Majesty and the *British* Parliament, and thereby endanger our present Paper Money, or at least render future Applications for additional Sums less effectual. For these Reasons I cannot give my Assent to the Bill before me, for striking *Forty Thousand Pounds*, to be made current, and emitted on loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province.

March 6, 1752. JAMES HAMILTON."

And the Governor's Message being considered,

Ordered, That *John Smith, Benjamin Franklin, Mahlon Kirkbride, Joseph Gibbons, James Wright* and *John Wright* be a Committee to prepare a Draught of an Address in Answer to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read by Order, agreed to, and ordered to be transcribed.

The Bill, for preventing Bribery and Corruption in the Election of Sheriffs, *&c.* being transcribed, was read the third time.

Resolved, N. C. D. That the Bill do pass

The Bill for regulating and establishing Fees, being transcribed, was again read, and follows in these Words, *viz.*

Resolved, N. C. D. That the Bill do pass.

The Message to the Governor being transcribed, was again read, and follows in these Words, *viz.*

May it please the Governor,

A S the Bill for striking *Forty Thousand Pounde*, &c. was agreed upon by the House after a long and very serious Deliberation, we were well assured that the Bill, as then sent up to him, would have tended greatly to the Welfare of this Province, had the Governor been pleased to pass it.

But to obviate every Objection, and to demonstrate how far we are from being desirous of "exceeding the Bounds of Moderation," even at this Time, when our Gold and Silver is in a great Measure exported to *Great-Britain*, in Return for the Commodities received from thence, and our Trade really languishes for Want of an Addition to our Paper Currency, we

now present the Bill, with a Deduction from the Sum to be struck, which we hope the Governor will find so much below what our Trade, and Commerce, and the Interest of the Merchants and Manufacturers of *Great-Britain*, trading to this Province, require, that it cannot fail of meeting his Approbation.

We have examined the Votes of the House of Commons for the last Year, and observe, with great Satisfaction, how tenderly and patiently they proceeded against the four "*Northern* Colonies," where the miserable Condition of their Trade, and the Injustice done to the "Widows and Orphans," as well as the *British* Merchants, from the excessive Emissions of their Bills of Credit, in Opposition to "some of the Deputies of the Assembly," and a great Number of Petitions from the most considerable Inhabitants of *Rhode-Island*, who represented those Emissions as totally unnecessary, and in in no Respect wanted, might have induced that honourable House to have acted with less Reserve.

Before such Judges, where the State of our Currency has been repeatedly called for, and examined, we beg Leave to assure the Governor, we have no Apprehensions of Danger, being well assured, that, upon the severest Scrutiny, it must appear to be the Advantage of the Trade of our Mother Country, in full Proportion to what we can expect or hope to reap among ourselves.

By a Message from the Governor to the Assembly in *February* 1748, we observe, he hoped it would not be thought unreasonable if he took some Time to get the best Information to enable him to form a right Judgment upon the Bill for making current *Twenty Thousand Pounds* then before him, and that the Delay might not be attended with any considerable Inconvenience to the People, as there was confessedly at that Time a greater Sum current (Gold and Silver included) than at any Time before. And again, on the 10th of *August*, 1749, he judged it might be attended with very mad Consequences to the Province to increase the Quantity of our Currency, whilst a Bill was depending in Parliament for restraining the Issuing the Bills of Credit in the Colonies of *America*: To all which the then Assembly very prudently submitted, and proceeded no farther upon the Bill.

But at this Time, when those Reasons are answered by the great Exportation of our Gold and Silver, and when the Parliament, after so strict an Enquiry, have not found Cause

to include us in the Restrictions laid upon the Four *Northern* Colonies, we hope the Objections to a Re-emission, which by this Bill is continued no longer than six Years beyond the Time limited by the Act in Force, can now have no Weight, when a further Addition, as appears clear to us, is become absolutely necessary, there having been but an inconsiderable Sum added to our Paper Currency for these Twenty Years past, though, within that Time, the Number of our Inhabitants and our Trade are greatly increased; and therefore, upon reducing the Sum at present desired so very low as we have now done, we trust the Governor will readily oblige us, and our Constituents, by giving his Assent to the Bill."

And the said Message being signed by the Speaker, *per* Order of the House,

Ordered, That *Evan Morgan* and *John Smith* wait on the Governor, and deliver the same, with the Bill for striking *Twenty Thousand Pounds;* and also that they deliver to the Governor the Bill for preventing Bribery and Corruption *&c.* and the Bill for regulating and establishing of Fees, and desire his Concurrence thereto.

Then the House adjourned to next *Second-day*, at Three o'Clock, *P. M.*

The House met according to their Adjournment.

The Gentlemen appointed to wait upon the Governor with the several Bills, and Message of the seventh Instant, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would consider them, and give an Answer to the House as soon as possible.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for laying a Tax on Dogs, *&c.* was read the second time.

The Governor, by his Secretary, sent down the Bill for preventing Bribery and Corruption, *&c.* with a verbal Message, 'That he was ready to pass it into a Law, when it should be presented to him for that Purpose.'

The Governor also sent down the Bill about Pounds, *&c.* with the following Message, *viz.*

GENTLEMEN,

'AS the Supplementary Bill before me to the Act, entituled, *An Act for erecting of Pounds in each Township in this Province*, appears to me manifestly to interfere with certain

Rights which the honourable Proprietaries have claimed and exercised since the first Settlement of the Province, I cannot give my Assent to make that Bill a Law.

March 10, 1752. JAMES HAMILTON."

The Governor also sent down the Bill for striking *Twenty Thousand Pounds*, &c. with a Message, which is as follows, *viz.*

GENTLEMEN,

'THE Reasons offered in your Message of the seventh Instant, for my passing the Bill to re-emit our current Paper Money, and striking the additional Sum of *Twenty Thousand Pounds*, I have perused, and considered with the Attention due to Matters of so great Importance.

But as our present Bills of Credit will continue to be current for more than four Years, without any Diminution, and the Prices of our Export Commoditites, in my Opinion, shew we are not in immediate Want of Money as a Medium of Commerce; making the best Judgment I am able of what has lately passed in *England*, concerning Paper Currencies in *America*, I cannot see my passing the Bill in the Light the Assembly does, and therefore cannot give my Assent to it. It is no uncommon Thing for Men to differ in Sentiment: Whenever it happens between different Branches of a Leg islature, each Part should be guided by their own Understandings, and the Dictates of their own Consciences. This Rule, I am persuaded, you never swerved from, and therefore must the readier approve of my observing it.

March 10, 1752. JAMES HAMILTON."

The Secretary also said, "That he was commanded by the Governor to acquaint the House, that the settling a general Bill of the Fees to be taken by all the Officers of the Government, is a Matter of very great Importance, and will in his Opinion, require more Time and Consideration, than the Shortness of the present Session will admit of, and therefore he inclines to keep the Bill under Advisement till the next Meeting of the Assembly."

And the Secretary added, "That he was further commanded by the Governor to inform the House, that he is a Friend to the Design of the Bill for regulating Attachments under *Five Pounds;* but thinks it stands in Need of more Corrections and Alterations than can be well gone into a present: And that by the next Meeting of Assembly, he will

endeavour to amend it in such Manner as to make it answer the good Purposes intended by it."

Then the Secretary withdrew.

Ordered, That the Bill for preventing Bribery and Corruption, *&c.* be ingrossed.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill for preventing Bribery and Corruption, *&c.* being ingrossed, was read, and compared at the Table.

Ordered, That *Evan Morgan* and *Henry Pawling*, do wait on the Governor, and acquaint him, that all those Bills which had passed the House with his Concurrence, were, with his Amendments, agreed to, and ingrossed; and that the House desire he would be pleased to appoint some of the Council to meet a Committee of this House, in order to compare the said Bills: And further, desire to know what Time the Governor would be pleased to appoint that the House should wait upon him, in order to the Passing the same into Laws.

Ordered, That the Trustees of the *Province Island* do settle with the Committee of Accounts, for the several Sums by them received on Account of said Island, and the Committee are directed to make it Part of their Report.

Resolved, That this House will To-morrow adjourn to the tenth Day of the Month called *August*.

The Bill for laying a Tax on Dogs, *&c.* was again read, and considered, and referred to the same Committee that brought it in, to be by them amended against the next Sessions of Assembly.

The Bill to prevent the Exportation of Wheat, Staves, *&c.* was read the second time, and referred to further Consideration at the next Sessions of Assembly.

The Gentlemen appointed to wait on the Governor, return and report, that they had delivered the Message of the House according to Order; and that the Governor was pleased to say, he would appoint two Members of Council to meet the like Number of this House, to compare the ingrossed Bills at Eleven o'Clock To-morrow Morning; and that he would be ready to receive the House at Twelve o'Clock, in order to enact them into Laws.

Ordered, That *Evan Morgan* and *Hugh Roberts* do join the Committee of Council to see those Bills compared.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to join with a Committee of Council, in examining and comparing the ingrossed Bills, report. that they find them to agree with their Originals.

Resolved, That *Six Hundred Pounds* be now given to the Honourable JAMES HAMILTON, Esq; Governor of this Province, in Part of his Support for the current Year.

And an Order was accordingly drawn on the Treasurer, and signed by the Speaker, for Payment of the same.

Ordered, That *Benjamin Franklin* and *Hugh Roberts* see the great Seal affixed to the Laws after they are passed, and the same deposited in the Rolls Office.

A Message from the Governor, by the Secretary.

Mr. SPEAKER,

The Governor is now ready to receive the House in the Council Chamber, in order to enact into Laws such Bills as have passed the House with his Concurrence.

Then the Speaker, with the whole House, waited on the Governor.

The House being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor with the following Bills, *viz.*

An ACT *for erecting Part of the Counties of* Philadelphia, Chester *and* Lancaster *into a separate County.*

An ACT *for erecting the* North-West *Part of* Bucks *into a separate County.*

An ACT *to regulate the Assize of Bread.*

An ACT *to prevent Disputes about the Dates of Conveyances, and other Instruments and Writings.*

An ACT *for directing the Choice of Inspectors in the Counties of* Chester, Lancaster, York, Cumberland, Berks *and* Northampton.

An ACT *for preventing Bribery and Corruption in the Election of Sheriffs and Coroners within this Province.*

To which the Governor was pleased to give his Assent, by enacting the same into Laws: That the Speaker had also presented the Governor with the Order on the Treasurer, for which he was pleased to thank the House.

Ordered, That *Joseph Trotter* and *Thomas Cummings* do wait on the Governor, and acquaint him, that the House are inclined to adjourn to the Tenth Day of the Month called *August*, if he hath no Objection to that Time.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to acquaint the Governor with the proposed Time of Adjournment, reported, that they had

done the same according to Order; and that the Governor was pleased to say, he had no Objection thereto.

The Gentlemen appointed to see the Great Seal affixed to the Laws, report, that the same is done, and that they are deposited in the Rolls Office.

The House resumed the Consideration of the Governor's Message relating to the Bill for striking *Twenty Thousand Pounds*, &c.

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Richard Walker*, *George Ashbridge*, *James Wright* and *John Wright* be a Committee to enquire into the State of our Paper Currency, our foreign and domestic Trade; and the Number of People within this Province, and report thereon to the next Sitting of Assembly.

Ordered, That the Superintendants of the State-house do provide a large Clock to strike on the Bell, in the Tower of the said Building, within a suitable Dial-plate to show the Hours and Minutes.

Ordered, That *Evan Morgan*, *Hugh Roberts*, *Joseph Gibbons*, *Griffith Owen*, *Calvin Cooper*, and *John Withero* be a Committee to consider the Bill relating to Wheat, Staves, *&c.* and report thereon to the next Sitting of Assembly.

Ordered, That the Clerk do copy all the Accounts that have been received from the present Agent in *London*, in a bound Book to be provided for that Purpose.

Then the House adjourned to the Tenth Day of the Month called *August*.

THE House met pursuant to their Adjournment.

Ordered, That *Evan Morgan* and *Hugh Roberts* wait upon the Governor and acquaint him, that the House have met according to their Adjournment, and are ready to receive any Thing he may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Message of Yesternight, report, that they had seen the Secretary, who informed them, that the Governor, not being well, was obliged to go out of Town sooner than he had designed, but had directed him to receive the Message of the House; and acquaint them, that he Governor would send down the Bills, now before him, to the House To-morrow Morning.

A Petition from *Thomas Green*, of the City of *Philadelphia*, House-carpenter, was presented to the House, and read, setting forth, that the Estate of *Daniel Pegg* was, by a Settle-

ment made on the Fourth Instant, found indebted to the Province in the Sum of *One Hundred* and *Sixty-nine Pounds Seven Shillings* and *Ten-pence;* that the Supertendants of the State-house had taken out an Execution on the Petitioner's Land for the said Debt; that the Petitioner very well knows, if a little more Time is allowed him, he can sell the said Land for double the Sum due to the Province; therefore prays this House would grant him Relief in the Premises, by directing the Superintendants to take a Mortgage on the said Land, and allow him some farther Time for Payment of the same.

Ordered to lie on the Table.

A Petition from *John Bessonet* and *Peter White*, of the County of *Bucks*, was presented to the House and read, setting forth, that they had become bound in the Sum of *One Hundred Pounds* as Security for *John Hall*, the late Collector of the Excise for that County, for the faithful Discharge of his said Office; that the said *John Hall*, by a long and dangerous Fit of Illness, which for several Months deprived him of his Reason, became incapable of executing the Duties of his said Office, when another Collector, about eighteen Months since, was appointed in his Stead, at which Time the said *John Hall* was considerably indebted for Monies he received in the Execution of his said Office; that the said *John Hall*, at the Time of his being deprived of his said Office, and for a considerable Time after, had Effects sufficient to discharge the said Debt, had the proper Steps been taken; but that being neglected, and the said *John Hall* since that Time become insolvent, the Petitioners are apprehensive they may be made liable for the Money so due from the said *John Hall* as aforesaid; that the said *John Hall* being so long deprived of his Senses, the Petitioners had it not in their Power to do any Thing for their own Security, till they had themselves been prosecuted, but that being hitherto omitted, the Opportunity is lost to them; so that should a Process in Law be commenced, the Loss will entirely fall upon the Petitioners to the Ruin of both their Families; that as there are no Instances as they know of, wherein the Bondsmen have ever been made liable in such Cases, they therefore humbly pray this House would take the Premises into Consideration, and prevent their being made the first Examples.

Ordered to lie on the Table.

A Petition from *John Kelton*, of the County of *Cumberland*, was presented to the House and read, setting forth, that about a Year ago some *Indians*, passing by his House, took from him a Horse, Value *Twenty Pounds*, which they since

absolutely refused to return; therefore praying an Allowance for the same.

Ordered to lie on the Table.

Ordered, That the Superintendants of the State-house do purchase of *William Allen*, Esq; on the most reasonable Terms they can, for the Use of the Province, all that Lot belonging to the said *Allen*, which lies *South* of the said Building, fronting on *Walnut-Street* and on which a Cedar Tree now stands.

Sundry Letters from the Agents were produced to the House by the Committee of Correspondence, and laid on the Table for the Perusal of the Members.

The Governor, by his Secretary, sent down the Bill for regulating and establishing Fees, with some proposed Amendments; also the Bill for regulating Attachments under *Five Pounds*, with sundry Amendments.

The Governor's proposed Amendments to the Bill for regulating and establishing Fees were read, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The House met, and adjourned to Ten o'Clock To-morrow Morning.

Resolved, That *One Hundred* and *Fifty Pounds* current Money of this Province be paid out of the public Treasury, as a Reward to any Person or Persons who shall apprehand and secure the three Murderers of *Eleanor Davis* and *John Thomas*, so that they may be brought to Justice, or *Fifty Pounds* per Head for any of them.

Ordered, That the above Resolve be printed in the next Gazette.

The House resumed the Consideration of the Governor's proposed Amendments to the Bill for regulating and establishing Fees, and referred the further Consideration thereof to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Governor's proposed Amendments to the Bill for regulating and establishing Fees; and, after a considerable Time spent thereon, referred the farther Consideration thereof to To-morrow Morning.

Then the House adjourned till Ten o'Clock To-morrow Morning.

The Governor's proposed Amendments to the Bill for regulating and establishing Fees, were again read, and considered.

to some of which the House agred, and in others adhered to the Bill.

Ordered, That *Benjamin Franklin* and *Mahlon Kirkbride* do wait upon the Governor with the said Bill, and acquaint him, the House have agreed to some of his Amendments, and in others adhere to the Bill.

Then the House adjourned to Three o'Clock, *P. M.*

The House took into Consideration the Governor's proposed Amendments to the Bill for regulating Attachments under *Five Pounds;* and, after some Time spent thereon, the farther Consideration thereof was adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to carry up the Bill for regulating and establishing Fees, to the Governor, with the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say, he would take the Amendments again into Consideration.

A Petition from *George Claypoole*, of the City of *Philadelphia*, Joiner, praying to be appointed the Officer for measuring Plank, Boards, *&c.* if a Law for that Purpose should pass this House, was presented to the House and read, and

Ordered to lie on the Table.

The Petition of *Thomas Green*, House-carpenter of the City of *Philadelphia*, was again read, and considered.

Ordered, That the Superintendants of the State-house do take a Mortgage of the said *Green*, agreeable to the Prayer of his Petition.

The Bill for regulating Attachments not exceeding *Five Pounds*, was read, together with the Governor's Amendments; which, after a considerable Debate thereon, were agreed to, and ordered to be engrossed with the Bill.

Then the House adjourned to Three o'Clock, *P. M.*

The Petition of *John Kelton*, of the County of *Cumberland*, was again read, and considered.

Ordered, That an Order be drawn on the Treasurer for the Payment of *Five Pounds* to the said *John Kelton.*

And an Order was accordingly drawn, and signed by the Speaker, by Order of the House.

The Petition from *John Bessonet* and *Peter White* was again read, and considered;

Ordered, That the Clerk do serve the Treasurer with a Copy of the said Petition, and acquaint him that the House require his Attendance on *Third-day* next, at Ten o'Clock in the Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Trustees of the *Province Island* laid before the House their Accounts for the several Sums by them received and disbursed on Account of said Island; which were read;

Ordered, That the Committee of Accounts do allow, in their Settlement with the said Trustees, the Sum of *One Hundred* and *Forty Pounds*, in Consideration of their Services and Expences.

Ordered, That *Edward Warner* and *Joseph Trotter* do wait upon the Governor, and acquaint him, that the House have agreed to his proposed Amendments of the Bill for regulating Attachments; and farther, that they desire to know when they may expect the Governor's Result on the Bill, now before him, for regulating and establishing Fees.

Then the House adjourned to next *Second-day*, at Three o'Clock, *P. M.*

The House met pursuant to their Adjournment.

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same, according to Order; and that the Governor was pleased to say, he would return an Answer to the House To-morrow Morning.

Ordered, That *Joseph Trotter*, *Edward Warner*, *Hugh Roberts*, *Joseph Hamton*, *Thomas Cummings*, *Calvin Cooper*, *John Withero* and *Daniel Williams* be a Committee to inspect and settle the Accounts of the incidental Charges of the current Year.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, returned the Bill for regulating and establishing of Fees, with sundry Amendments, which were read, and some of them were agreed to by the House, and in others the House adhered to the Bill.

Ordered, That *John Smith*, and *Hugh Roberts* do wait upon the Governor with the said Bill of Fees, and acquaint him, that the House have agreed to some of the Amendments now proposed by him, and in others adhere to the Bill,

The following Representation from *Michael Lightfoot*, Treasurer, was presented to the House and read, *viz.*

To the REPRESENTATIVES *of the Freemen of the Province of* Pennsylvania, *in* GENERAL ASSEMBLY *met.*

YOUR Treasure having been served with a Copy of *John Bessonet* and *Peter White's* Petition to the House, wherein they would blame me for not seizing the Effects of *John Hall*, to pay the Debt due from him to the Province: In answer thereto, I desire Leave to acquaint the House, that soon after *John Hall's* Indisposition, I went to *Bristol* to find out what Circumstances his Accounts were in; and having Reason to believe that he had received more money, on the Excise Account, than he had paid to me, I enquired whether he had any Estate and could not understand that he had much, and, as he was an old Man, and then afflicted with Illness, had a Wife and several small Children, it seemed hard to seize upon what few Household-Goods they had: I therefore enquired about the Circumstances of his Bondsmen, and was told they were sufficient; and as they were Neighbours to *John Hall*, and likely to know more of his Affairs than I did, I sent them Word that I would have them secure themselves, for I was afraid there would be a Deficiency, and that they would be liable to pay it. Soon after this I went to *Bristol* again, and the Person, by whom I sent the foregoing Message, told me, he informed them of it, and they seemed unconcerned, alledging that the Assembly would not insist on their paying it: At hearing of this, I was disturbed, and wrote them a Letter pressing them very earnestly to secure themselves, if there was any Thing to be had; and from that Time till within two Weeks of the present Sitting of the Assembly, I heard nothing from them. Then I went up to both their Houses, and spoke to them; *Bessonet* told me, he had received my Letter, and that they went to *John Hall*, and he promised to give them a Mortgage on some real Estate, but put them off from Time to Time, until his Creditors laid an Execution on it, and now there was not any Thing to be had; I told him, that if they had informed me that they had endeavoured to get Security, and could not do it, I would have come up and seized what there was; but as they did not, I did not know but what they had obtained Security; and as they were sufficient to pay the Debt due to the Province, I made myself the more easy about it. This being the Case, your Treasurer thinks the said Securities for *John Hall* have the greatest Reason to blame themselves, if the House should not think

proper to forgive the Debt due from him. All which I submit to the House.

MICHAEL LIGHTFOOT.

Ordered to lie on the Table.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait on the Governor with the Bill of Fees, report, that they had done the same according to Order, and that the Governor was pleased to say he would return an Answer to the House To-morrow Morning.

The Petition of *John Bessonet* and *Peter White*, of *Bucks* County, was again read, and considered, together with the Representation of *Michael Lightfoot*, Provincial Treasurer;

Ordered, That the said Petition of *John Bessonet* and *Peter White* be dismissed the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for regulating Attachments not exceeding *Five Pounds*, being engrossed, was read, and compared at the Table.

The Governor, by his Secretary, sent down the Bill for regulating Fees, with a written Message, which was read, and referred to further Consideration in the Afternoon.

The Message follows in these Words, *viz.*

A Message *from the* GOVERNOR *to the* Assembly.

GENTLEMEN,

'I HAVE well considered the Reasons given in your Paper of Yesterday for the Amendments therein proposed, and sincerely wish our Sentiments, concerning them, had been the same.

'The Business of the Proprietary's Secretary, preparatory to, and in making out, Warrants and Patents for different Persons, is so extremely various, that it seems impossible, by Law, to ascertain a Reward that shall be exactly adequate to each Service; therefore, all that can be done is, to settle a Medium, by which, on the Whole, he may receive a Compensation for his Trouble: And this, I think, will not be exceeded by the Assembly's agreeing to my Amendments.

'The Fees allowed the Attorney-General by my Amendments, I am of Opinion, in general, are not equal to the Trouble and Skill necessarily required to carry on criminal Prosecutions, many of which must always be lost through the Proverty of the Defendants.

'For these Reasons, I cannot recede from my former Amendments.

August 19, 1732. JAMES HAMILTON."

Then the House adjourned to Three o'Clock, *P. M.*

The Committee of public Accounts made their Report in Writing, which was read, and ordered to lie on the Table for the Perusal of the Members.

The Governor's Message on the Bills of Fees, was again read, and considered;

And the Question being put, Whether the Governor's Proposed Amendments should be now inserted in the Bill?

Passed in the Negative.

Ordered, That *Evan Morgan* and *Henry Pawling* do wait upon the Governor, and acquaint him, that the House have very seriously considered his Message of this Morning, and cannot agree to the Amendments proposed, but would be glad to have a Conference with the Governor thereon, if he would be pleased to appoint a Time and Place for that Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Message of Yesternight, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he would meet the House, or a Committee thereof, in the Council Chamber this Morning at Eleven o'Clock.

A Message from the Governor, by the Secretary.

Mr. SPEAKER,

The Governor is now in the Council Chamber according to Appointment, ready to confer with the House, or a Committee of the House, on the Bill for regulating and establishing Fees,

And the Secretary being withdrawn;

Ordered, That *Henry Pawling*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Ashbridge*, and *Peter Dicks* do, with the Speaker, wait upon the Governor, in order to have a Conference with him on the said Bill of Fees.

Ordered, That *Evan Morgan* and *Joshua Morris* be a Committee to meet some of the Council, to see the Bill for regulating Attachments not exceeding *Five Pounds* compared with the Amendments.

The Committee appointed to confer with the Governor on the Bill of Fees, return, and report, that they accordingly met, and had a Conference with the Governor, in the Council Chamber; that the Governor did not incline to recede from his Amendments for sundry Reasons, which the Committee reported to the House; and that the Governor had given them a Paper specifying several Particulars of the Services

done by the Proprietary's Secretary in granting Patents, which, if the House thought fit, might be inserted in the Bill, without any additional Fee for the same.

The House taking the Report of the Committee of Conference into Consideration;

Resolved, That the said Particulars, mentioned in the Paper delivered the Committee by the Governor, should be inserted in the Bill of Fees, and that the said Bill be ingrossed with the Governor's Amendments.

The Gentlemen appointed to see the Bill for regulating Attachments not exceeding *Five Pounds* compared, report, that they had, with the Secretary, done the same according to Order.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That the Bill for regulating of Vendues;

The Bill for laying a Tax on Dogs, kept within the City of *Philadelphia*, and the Townships of the *Northern Liberties*, *Passyunk* and *Moyamensing*, and for the better Support of the Poor within the said City and Townships;

The Bill to prevent the Exportation of Wheat, Indian Corn, Flaxseed, and other Grain, and of Shingles, Staves, Heading, Boards and Timber, not merchantable, and to appoint an Officer to measure Salt imported into this Province; and,

The Bill for suppressing the Practice of Gaming and Gaming-houses; which was ordered to be prepared against this Sitting, be referred to the Consideration of the next succeeding Assembly.

The Committee appointed the last Sitting of Assembly to enquire into the State of our Paper Currency, *&c.* made their Report in Writing which was read, and is as follows, *viz.*

IN Obedience to the Order of the House, your Committee have enquired into the State and Circumstances of the Paper Currency of this Province, our foreign and domestic Trade, Numbers of People, *&c.* and do find;

That in the Year 1723 the first Experiment of Paper Money was made in *Pennsylvania*, by striking and emitting on Loan, upon real Securities, the Sum of *Fifteen Thousand Pounds.* And the ill Consequences apprehended by some, as necessarily attending such a Currency, not appearing, but on the contrary great and manifest Advantages to the Public immediately ensuing, the Government were induced to pass another Act the same Year, for issuing a farther Sum of *Thirty Thousand Pounds.*

Experience demonstrating more and more the Benefit arising from this Currency to the Province, by the Encrease of Trade and People, and Improvement of Lands, and the Sum of *Forty-five Thousand Pounds* not being found sufficient for the Occasions of Commerce, the General Assembly did, in the Year 1729, strike and emit a farther Sum of *Thirty Thousand Pounds*, and in 1739 a small additional Sum, with which, the whole Currency then amounted to *Eighty Thousand Pounds;* and there has since been no Addition, except the Sum of *Five Thousand Pounds*, struck for the King's Use in 1746, great Part of which is already sunk by yearly Quota's of *Five Hundred Pounds* out of the Excise, as by Law directed.

That the Sum of *Eighty Thousand Pounds*, emitted on Loan, and now current, is, by Law, to continue entire not quite four Years longer, when it must begin to sink, in the Proportion of One Sixth Part *per Annum*, so that in six Years the Whole may be sunk and destroyed; and the Province will then be left without any Currency, except that precarious One of Silver, which cannot be depended on, being continually wanted to ship Home, as Returns, to pay for the Manufactures of *Great-Britain*.

That in 1723, and for some Years before, the Trade of this Province languished for Want of a Medium; Building and Planting were discouraged, and the Inhabitants in City and Country rather diminished than encreased. This is not only consistent with the Knowledge of some of your Committee, who well remember the distressed Circumstances of the People at that Time, that many Tradesmen and others left the Country, and that a great Number of Houses were vacant and untenanted in the City: But the swift Declension of our Trade appears from the Customhouse Entries, where we find, that the Vessels cleared from the Port of *Philadelphia* in the Year 1721 were 130, in 1722 but 110, and in 1723 only 85.

From that Period both the City and Country have flourished and encreased in a most surprizing Manner. The Encrease of the City appears even to the Eye of every common Observer, the Number of new Buildings much exceeding the Old. It appears also by comparing the Bills of Mortality: For in the Year 1722 the Burials in *Philadelphia*, of all Ages, Sects and Colours, amounted to no more than 188, an exact Account being for that Year published monthly. Of the preceeding and next following Years we find no Account; but from *November* 20, 1729, to *November* 19, 1730, the Burials were 244; and from *November* 18, 1731, to *November* 16, 1732,

they were 254, notwithstanding that in the intermediate Year, the Small-pox raging in the Town, had alone carried off near 240 Persons, and swell'd the Bill for that Year to 490. From hence to 1738, no Account is come to our Hands; but from *December* 25, 1738, to *December* 25, 1744, the Burials amounted to 3179, which being, at a Medium, 454 *per Annum*, shews the great Encrease of Inhabitants to that Time; and since 1744, the Encrease is thought rather to have exceeded in Proportion.

Your Committee have endeavoured to procure from the yearly Tax Books, Accounts of the Number of taxable Inhabitants in the Counties of this Province for several Years, since the first striking of Paper Money: and though the Accounts they have obtained are not so perfect as could be wished (some of those Books being lost or mislaid) yet they find sufficient to shew that a very great Addition has been made, *viz.* In the City and County of *Philadelphia*, it appears that there were in the Year 1720 but 1995 Taxables; in the Year 1740 they amounted to 4850; and in the Year 1751 they were 7100.

For the County of *Bucks* we have only obtained an Account of the present Number of Taxables, which amounts to 3012, exclusive of the *Moravians* at *Bethlehem*, whose Numbers are unknown: But inasmuch as there were few or no Settlements above *Durham* before 1723, and that there are now so many as to be formed into a new County by this Assembly; and the Lower Settlements are grown much thicker, not only by natural Encrease, but by Addition of People from *Ireland* and *Germany*, it is not doubted but that County may have encreased in equal Proportion with the County of *Philadelphia*.

From the Tax Books of *Chester* County we learn, that in the Year 1732, their Taxables amounted to 2157, in 1737 they were 2532, in 1742 they were 3007, in 1747 they were 3444, and this present Year, 1752, they amount to 3951; which shews that County to have nearly doubled itself in the last twenty Years, And though we have no Accounts of their Number in 1723, the first Year of Paper Money, yet it is known, that their Encrease was so great between that Time and the Year 1729, as to occasion a Division of the County, their Frontier Settlements being then erected into a new County, by the Name of *Lancaster*.

Of the Number of Taxables in the County of *Lancaster* we have no earlier Account than that for the Year 1738, which amounted to 2560: Since that Time *Lancaster* County had

so encreased and extended its Settlements as to bear a double Division, two new Counties, *York* and *Cumberland*, being about three Years since taken out of it; and yet the Account of Taxables in *Lancaster* County this present Year Amounts to 3977, of which 311 live in the fine Town of *Lancaster*, a Town not much more than Twenty Years old.

The County of *York* (taken, as is said before, out of *Lancaster*) had in 1749 Taxables 1466, in 1750 they were 1798, and in 1751 they amounted to 2043, which shews an Encrease of near one Third in two Years.

The County of *Cumberland* had, when separated from *Lancaster*, in 1749, but 807 Taxables; in 1751 they amounted to 1134, which is an Encrease yet greater than that of *York* County.

That the Trade of this Province has likewise greatly encreased since the first striking of Paper Money, appears from the Custom-house Accounts of Vessels cleared from the Port of *Philadelphia*, which, as we have said before, were, in the Year 1723, no more than 85; but in 1730 they amounted to 171; in 1735 they were 212; and from *August* 1749, to this present *August* 1752, being Three Years, they amount to 1210, which at a Medium is 403 *per Annum*, being near 5 now for 1 in the Year 1723.

That our Consumption of the Manufactures of our Mother Country has proportionably encreased, appears from the same Accounts. Since in the Year 1723 we had but two Ships from *London;* whereas between the 18th of *August* 1748, and this present Date, they amount to Thirty-seven, which make on an Average nine Ships *per Annum*, who have generally come full of Goods, besides many others from the Out-ports of *Britain* not reckoned.

This encreasing Consumption of Goods from *England* (exclusive of Linen, *&c.* from *Scotland* and *Ireland*) appears more particularly by an authentic Account from *J. Oxenford*, Inspector General of the Customs, as laid before the Parliament in 1748, where we find that the whole Exports to *Pennsylvania.*

	Sterling		
In 1723 amounted but to	£ 15,992	19	4
In 1730 they amounted to	48,592	7	5
In 1737 they were	56,690	6	7
In 1742 they were	75,295	3	4
In 1747 they were	82,404	17	7

since which we have no Account, but it is well known that within these five Years the *English* Trade is greatly augmented.

Our Domestic or Inland Trade is so connected with and dependent on our foreign Commerce, that it is difficult to distinguish, or obtain any separate Account of it: But that it must have encreased proportionably with the People, is easy to conceive; that our Indian Trade particularly is extended many hundred Miles farther Westward, to numerous, new and strange Nations, is well known; and that the Number of Waggons employed in exchanging and conveying Commodities from one Part of the Province to another, has been very greatly augmented within these few Years, is a Matter of common and general Observation.

Furnishing the Country with a Medium of Trade, and of a Kind that could not, to any Purpose, be exported, as it facilitated mutual Commerce, lessened our Taxes by the Interest it produced, and made it more easy for every one to obtain ready Pay for his Labour, Produce or Goods (a Medium so evidently wanted at the Time Paper Money was first issued) has doubtless been one great Means of the subsequent Encrease of our Trade and People, by inducing Strangers to come and settle among us, But your Committee conceive, that the manner of issuing this Medium contributed no less to those happy Effects than the Medium itself. It was by the Laws directed to be emitted on Loan, in Sums of *Twelve Pounds Ten Shillings*, and upwards, not exceeding *One Hundred Pounds* to one Person, for a long Term, on easy Interest, and payable in yearly Quotas; which put it in the Power of many to purchase Lands, and make Plantations, (the Loan-Office enabling them to pay the Purchase so easily) and thereby to acquire Estates to themselves, and to support and bring up Families; but who, without that Assistance, would probably have continued longer in a single State, and as Labourers for others, or have quitted the Country in Search of better Fortune. This easy Means of acquiring landed Estates to themselves, has, we suppose, been one principal Encouragement to the great Removal hither, of People from *Ireland* and *Germany*, where they were only, and could scarce ever expect to be other than Tenants. And that happy Contrivance in our Money Laws, by which the yearly Quotas are, as fast as paid in, re-emitted to other Borrowers, makes the same Quantity of Currency serviceable in their Turns to a much greater Number of People; thereby lessening the Necessity and Demand for striking great additional Sums, which, if carried to Excess, might depreciate the Value of the Currency.

Yet had this easy Method of obtaining Money for the Purchase and Improvement of Lands, kept Pace, as it ought to have done, with the growing Numbers of People, your Committee conceive, that our Encrease, great as it is, would probably have been much greater: For during many Years past, through the Smallness of the Sum to be from Time to Time re-emitted, not only those admitted to borrow were obliged to be content with Small Proportions, but many who could give ample Security, have been delayed and disappointed. Even at this present Time, though Applications by failing of Success have been so much discouraged, we are informed there are no less than 1000 Appliers on the List, who wait their Turn to be supplied. And within these Ten Years, a vast Multitude of our Inhabitants have, to procure Settlements, wandered away to other Places.

That it should be easy for the industrious Poor to obtain Lands, and acquire Property in a Country, may indeed by chargeable with one Inconvenience, to wit, that it keeps up the Price of Labour, and makes it more difficult for the old Settler to procure working Hands, the Labours very soon setting up for themselves: (And accordingly we find, that though perhaps not less than 30,000 Labours have been imported into this Province within these Twenty Years, Labour continues as dear as ever.) Yet this Inconvenience is perhaps more than balanced by the rising Value of his Lands, occasioned by Encrease of People; and to the Public in general, Numbers of substantial Inhabitants have been always reckoned an Advantage. In fine, by rendering the Means of purchasing Land easy to the Poor, the Dominions of the Crown are strengthened and extended; the Proprietaries dispose of their Wilderness Territory; and the *British* Nation secures the Benefit of its Manufactures, and encreases the Demand for them: For so long as Land can be easily procured for Settlements between the *Atlantic* and *Pacific* Oceans, so long will Labour be dear in *America;* and while Labour continues dear, we can never rival the Artificers, or interfere with the Trade of our Mother Country.

All which is humbly submitted to the House, by

August 19, 1752.

BENJAMIN FRANKLIN,
RICHARD WALKER,
GEORGE ASHBRIDGE,
EVAN MORGAN,
PETER WORRALL."

Ordered to lie on the table.

Then the House adjourned to Three o'Clock To-morrow Afternoon.

The Bill for regulating of Fees being engrossed, was read, and compared at the Table.

Ordered, That *Benjamin Franklin* do meet some of the Council to see the said Bill compared with the Amendments.

Ordered, That *Richard Walker* and *Nathaniel Grubb* do wait upon the Governor, and acquaint him, that the House have agreed to his Amendments of the Bill for regulating and establishing Fees, and engrossed them in the said Bill accordingly, and desire that the Governor would be pleased to nominate a Member of the Council to meet one of this House, in order to compare the said Bill with the Amendments. And farther, that they request the Governor would be pleased to appoint a Time that the House should wait upon him, in order to the passing into Laws, those Bills which have now gone through the House with his Concurrence.

A Petition from *John Bleakley*, the present Lessee of the *Province-Island*, was presented to the House and read, setting forth, that on the Twenty-fifth of *March*, 1749, the Trustees of the said Island agreed with the Petitioner to repair the Dam at the House on the said Island, and to put the Banks in Order, for which the said Petitioner was to have *One Hundred Pounds;* that they also agreed with him to make two Dams, one of them near the Mouth of *Minko-Creek*, the other near the Mouth of *Eagle-Creek*, in order to stop the Tides, and make a Thorough-fare from said Island to *Carpenter's Island;* that it was imagined by the said Trustees, that *Two Hundred Pounds* were sufficient to defray the Expences of such Dams, One Half whereof was to be borne by the said Trustees, the other Half by the Petitioner; that the Petitioner accordingly undertook to make and complete the said Dams, but *Minko-Creek* being, at the lowest Ebb, nine Feet deep, and at High Water in Spring Tides, and a Fresh in *Schuylkill*, upwards of Twenty Feet deep, it was found that a Dam not less than Twenty-four Feet perpendicular, was sufficient to complete the same; and several Persons, who were well experienced in like Work, concluded that it could not be accomplished, being of such great Heighth, that the large Quantities of Mud would occasion it to spread too much at the Bottom; that the Petitioner then applied to the said Trustees, who often viewed the same, and were so kind as to give him all the Encouragement he could expect, to forward the Undertaking aforesaid, and being satisfied that the same would be

a great Burthen and Charge to him, over and above his Agreement aforesaid, they were generously pleased to advance and pay him the further Sum of *Eighty Pounds*, for which they took his Bond, conditioned, that in Case this House would not allow the same when their Accounts were exhibited, then that he should repay the same; that the Petitioner therefore, with humble Submission, refers to the said Trustees to inform the House of the great Fatigue and Expence he has been at in finishing the Dams aforesaid, which are now completed, and stand him in near *Five Hundred Pounds*, and hopes, that as the said Island is very much advantaged thereby, the Rent being now advanced from *Eighty* to *One Hundred* and *Twenty Pounds per Annum*, giving general Satisfaction to all concerned (there being no Creek of that Depth heretofore stopped in the Province) and as he has, by his Agreement aforesaid, suffered great Damage and Loss, this House will, in Consideration of the Premises, under his said Bond to be delivered up to him and cancelled.

Ordered to lie on the Table.

Then the House adjourned to Nine o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Message of Yesternight, report, that they had delivered the same according to Order; and that the Governor was pleased to say, he would appoint the Secretary to meet a Member of the House to compare the engrossed Bill for regulating and establishing Fees, at Nine o'Clock this Morning; and that he would be ready to receive the House, in the Council Chamber, at Eleven o'Clock.

Resolved, That this House will, this Day, adjourn to the Thirtieth of *September* next.

Ordered, That *Evan Morgan* and *Benjamin Franklin* do acquaint the Governor with the proposed Time of Adjournment: And likewise, that they see the Great Seal Affixed to the Laws after they are passed, and the same deposited in the Rolls Office.

Resolved, That an Order be drawn on the Provincial Treasurer for the Payment of *Four Hundred Pounds* to the Honourable JAMES HAMILTON, Esq; Governor of this Province, being the Remainder of his Support for the current Year.

And the same was done accordingly, and signed by the Speaker, by Order of the House.

The Petition of *John Bleakley*, Lessee of the *Province Island*, being again read, and considered;

Ordered, That the Trustees of said Island do deliver up to the said *Bleakley* the Bond due from him to the Province.

Ordered, That the Minutes of Assembly now printing, under the Direction of this House, be continued down to the present Year inclusive; and that all the Members, who are now in the House, be entituled to one Copy each, when finished.

A Message from the Governor, by his Secretary: 'That the Governor was now ready to receive the House in the Council Chamber.'

Then the Speaker with the whole House waited on the Governor: And being returned, the Speaker reported, that they had waited upon the Governor with the *Bill for regulating and establishing Fees*, and the *Bill for regulating Attachments not* exceeding Five Pounds, which the Governor was pleased to enact into Laws; that the Speaker had likewise presented to the Governor the Order of the House for his Support, which he was pleased thankfully to accept.

The Gentlemen appointed to acquaint the Governor with the proposed Time of Adjournment, reported that they had done the same according to Order, and that the Governor was pleased to say, he had no Objection thereto.

Ordered, That the Report of the Committee on Paper Currency, Trade, Numbers of People, *&c.* be referred over to the Consideration of the next succeeding Assembly.

The Gentlemen appointed to see the Great Seal affixed to the Laws, report, that the same is done, and that they are deposited in the Rolls Office.

Sundry Accounts of Services done the Public were reported on by the Committee on incidental Charges, and such Allowances made as the House judged reasonable.

The Report of the Committee of public Account was approved of, and allowed by the House, and follows in these Words, *viz.*

WE, *the* COMMITTEE *appointed by the Assembly of the Province of Pennsylvania, to audit and settle the Accounts of the* GENERAL LOAN-OFFICE, *and other Public Accounts; to sink and destroy the Bills of Credit, received in Exchange, pursuant to the late Paper-Money Acts; and to count all the Money, and report what Sum we should actually find in the Trustees Hands*, REPORT,

THAT on the 13th of the last Month we counted the Money in the Hands of the Trustees of the Loan-Office, and found the Sum of ..... £ 5,891 11 3

THAT upon a strict Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Assembly for emitting Paper-Bills, and now remaining in the Loan-Office undischarged.							
We find there are principal Sums or Quotas thereon to become due (after the 13th of the Seventh Month last) and payable to the Trustees, the Sum of	£50,441	6	8				
That the Quotas outstanding, and then due on all the Mortgage Deeds in the said Office, amounted to	15,947	12	6				
That it appears by a List of 161 Mortgages, taken on the fifth Re-emission of the second £80,000 Act, there has been lent out thereon, the Sum of	10,914	15	0				
And by a List of 58 Mortgages, taken on the sixth Re-emission of the same Act, the Sum of	3,745	0	0				
				£81,048	14	2	
That several Sums lent the City of Philadelphia are not yet repaid, viz.							
The Balance of the first Sum lent the said City	156	0	0				
The Balance of the Sum lent the said City for building Alms-Houses, ...	187	10	0				
				£	343	10	0
Makes the whole Sum, ...				£81,392	4	2	
THAT the Trustees, on Account of Interest, are Charged with the Balance due to the Province at the last Settlement in 1751, ...	£ 3,751	6	3¾				

And with the Interests outstanding on all the Mortgage Deeds at the last Settlement, £6,688 6 7½ from which deduct,						
For a Miscalculation of Matthew Rue's Interest on the fourth Re-emission of the first £80,000, ...	£	—	0	9	3	
And for ditto, of William Melchor's Interest on the second £80,000	£	1	0	0		
	£	1	9	3		
Makes Interest outstanding last Year, ...	£	6,686	17	4½		
To the Interest arising on all the Mortgage Deeds for the current Year, ...		2,982	11	2		
To the broken Interest received since last Settlement, ...		1,122	2	7		
				Dr. Carried over	£14,542	17 5¼
				Dr. Brought over	£14,542	17 5¼
THAT the Trustees have Credit for the Interest, which, upon a careful Examination of the Indorsements upon all the Mortgagee Deeds in the Office, appears to have been outstanding and due on the 13th of the Seventh Month last, amounting to	£	7,159	4	3½		
By Cash paid sundry Orders for Assembly Men's Wages, the Whole, ...		417	3	0		
Ditto paid Charles Brocken, ..		142	10	0		
Ditto paid the Trustees of the Province Island, ...		200	0	0		
Ditto paid the Treasurer of the Pennsylvania Hospital,		1000	0	0		
Ditto paid Samuel Kirk, for nine Cord of Hickory Wood, and Charges, ...		10	8	0		
Ditto paid Lynford Lardner for the Proprietaries, ...		130	0	0		

Ditto paid the Superintendants of the State-House, ...	600	0	0			
Ditto paid Isaac Norris, to send for a Bell, ...	198	0	0			
Ditto paid Ditto, towards purchasing Books, and Window-glass, ...	170	0	0			
By one Year's Salary of the Trustees of the Loan-Office,	500	0	0			
By Allowance for exchanging £2,746 18 3 at Two Pounds Fifteen Shillings per £1000,	7	11	0			
By the whole Sum appropriated by the second £30,000 Act, towards building the State-House, and now ordered by the House to be paid out of the Interest Money, ...	2,000	0	0			
	£12,534	16	3½			
Balance due to the Province,	2,008	1	1¾			
				£14,542	17	5¼
WE do likewise Report, that we have examined the Provincial Treasurer's Account, and find,						
That he Credits the Province for Balance due at the last Settlement in the Sixth Month, 1751, ...	832	16	1			
And by Cash received of Joseph Redman, Collector of Excise for the City and County of Philadelphia, ...	2,305	11	3			
By Ditto of John Woolston, Collector of Bucks, ...	230	0	0			
By Ditto of Jeremiah Starr, Collector of Chester, ...	350	0	7			
By Ditto of Arthur Patterson, Collector of Lancaster, ...	50	0	0			
By Ditto of James Lindsay, Collector of Cumberland, ..	39	3	9			
By Ditto, in Part of the Balance due from Judah Foulke,	16	7	4			
				£ 3,823	19	0

THAT he Charges the Province with sundry Sums, paid in Pursuance of the Votes or Orders of the House, viz.

	£		
Paid Conrad Weiser, per Order,	56	2	6
Paid Andrew Montour, per Ditto,	80	0	0
Paid John Potter, per Ditto,	34	0	0
Paid Thomas Cummings, per Ditto,	3	15	0
Paid Catherine Cox, per ditto,	3	0	0
Paid Richard Peters, per ditto,	40	2	0
Paid Charles Brockden, per ditto,	8	8	10
Paid Edward Kelly, per ditto,	14	1	0
Paid Samuel Kirk, per ditto,	9	0	0
Paid Willam Franklin,	4	15	6
Paid Tench Francis, per ditto,	100	0	0
Paid John Smith, per ditto,	8	0	0
Paid Charles Stow, per ditto,	3	5	0
Paid Isaac Norris, per ditto,	30	0	0
Paid ditto, per ditto,	170	0	0
Paid ditto, for an Order for 200 £ Sterl.	335	0	0
Paid Edward Warner, per ditto,	8	0	0
Paid Caleb Coupland, per ditto,	60	0	0
Paid Richard Peters, per ditto,	8	14	4
Paid Benjamin Franklin, per ditto,	121	1	0
Paid Thomas Graeme, per ditto,	1	11	6
Paid Evan Morgan, per ditto,	3	5	0
Paid Lawrence Growdon, per ditto,	60	0	0
Paid William Allen, per ditto,	200	0	0
Paid Joseph Fox, per ditto,	5	15	0
Paid Mahlon Kirkbride, per ditto,	0	10	0
Paid George Croghan, per ditto,	79	6	0

Paid Nicholas Rush and Christopher Wideman, per ditto,		12	4	10		
Paid Dr. Charles Bensell, per ditto, ...		15	0	0		
Paid Richard Peters, for the Governor, ...		400	0	0		
Paid ditto, for ditto, ...		600	0	0		
Paid Charles Norris, for £100 Sterling Bill delivered to Isaac Norris, to be remitted to the Agent, per Order of the House, ...		165	0	0		
Paid Charles Norris, in Part of £5000 ordered to be sunk,		500	0	0		
Paid Lynford Lardner, per Order, ...		12	19	6		
Paid Mary Burden, per ditto,		4	0	0		
	£	3,156	17	0		
To Commissions on the Above, at 5 per Cent, ..		157	16	9		
Balance due to the Province, ...		509	5	3		
					£ 3,823	19 0
THAT Joseph Redman Credits the Province with the Balance due at last Settlement on the Lists of Outstandings delivered him by Judah Foulke, ...					208	0 5
That he Charges the Province with Cash paid Michael Lightfoot, Treasurer, ...	£	29	9	0		
To his Commissions thereon, at 5 per Cent.		1	9	3		
To a List of Outstandings delivered John Hughes, Collector of Berks, ...		4	19	8		
	£	35	17	11		
Balance due to the Province, ...		172	2	6		
					£ 208	0 5

THAT we have examined the Accounts of Joseph Redman, Collector of Excise for the City and County of Philadelphia, and find,						
That he Credits the Province, by Balance due at last Settlement, ...	£	94	19	10		
And by the Amount of Excise from June 1, 1751, to June 1, 1752, ...		2,252	14	0		
By sundry Retailers, at £3 per Annum, ...		188	5	0		
By one Half of sundry Fines, as per List, ...		22	9	0		
					£ 2,558	7 10
That he Charges the Province, to Cash paid to Michael Lightfoot, Provincial Treasurer, ...		2,276	2	3		
To his Commissions thereon, at 5 per Cent, ...		113	16	0		
To a List of Outstandings delivered John Hughes, Collector of Berks, ...		32	15	2		
	£	2,422	13	5		
Balance due to the Province, ...		135	14	5		
					£ 2,558	7 10
THAT we have examined the Accounts of John Woolston, Collector of Excise for the County of Bucks, and find,						
That he Credits the Province for Balance due at last Settlement, ...	£	9	3	10		
By the Amount of Excise from June 1, 1751, to June 1, 1752,		277	14	4		

By sundry Retailers, at £3 per Annum, ...		9	15	0			
					£	296	13 2
That he Charges the Province, to Cash paid to the Provincial Treasurer, ...		230	0	0			
To his Commissions thereon at 10 per Cent, ...		23	0	0			
To a List of Outstandings delivered to Daniel Craig, Collector of Northampton, ...		26	10	6			
	£	279	10	6			
Balance due to the Province, ...		17	2	8			
					£	296	13 2
THAT we have examined the Accounts of Jeremiah Starr, Collector of Excise for the County of Chester, and find,							
That he Credits the Province for the Balance due at last Settlement, ...	£	228	6	2			
By Amount of Excise from the 1st of the Fourth Month, 1751, to the 1st of the Sixth Month. 1752, ...		415	15	10			
By sundry Retailers at £3 per Annum, ...		12	0	0			
By one Half of sundry Fines, per List, ...		7	8	4			
					£	663	10 4
That he Charges the Province, to Cash paid to Michael Lightfoot, Treasurer, ...		350	0	7			
To his Commissions thereon at 10 per Cent, ...		35	0	0			
	£	385	0	7			
Balance due to the Province, ...		278	9	9			
					£	663	10 4

THAT Arthur Patterson, Collector of for the County of Lancaster, hath not appeared before the Committee; nor have we received any Accounts relating to the current Year's Excise from him; but we Charge him with the Balance due at the last Settlement, ...				£	148	15	10
And we Credit him with Cash paid to the Provincial Treasurer, ...	£	50	0 0				
And with his Commissions thereon at 10 per Cent, ...		5	0 0				
	£	55	0 0				
So that the Balance due from him to the Province, is, ...		93	15 10				
Besides the current Year's Excise, ...				£	148	15	10
THAT David M'Connaughy, Collector of Excise for the County of York, hath neither appeared, nor sent any Accounts to the Committee relating to the current Year's Excise; but we Charge him with the Balance due at last Settlement,				£	5	12	5½
THAT we have examined the Acccounts of James Lindsay, Collector of Excise for the County of Cumberland, and find,							
That he Credits the Province, by the Amount of Excise, from the Time of his having the Office, to the 1st of June, 1752, ...	£	12	5 8				
By sundry Retailers at £3 per Annum, per List, ...		48	0 0				

By Cash received of James Silver, for Excise entered with Benjamin Chambers, ..	3	0	0				
				£	63	5	8
That he Charges the Province with Cash paid to the Provincial Treasurer, ...	39	3	9				
And his Commissions thereon at 10 per Cent, ...	3	18	4				
					43	2	1
Balance due to the Province, ...	20	3	7				
				£	63	5	8
THAT we have examined the Accounts of the Trustees of the Province Island, and had entered them in a Book provided for that Purpose, and find, that there is a Balance due to them, of					2	2	6
And there remains in their Hands a Bond due from John Bleakley to the Province, for the Sum of Eighty Pounds.							
THAT it appears by the Report of the Committee last Year, there remained in the Hands of the Trustees, to exchange old and ragged Bills, viz.							
Of the Bills struck for that Purpose by the £ 80,000 Act,	£ 2,114	7	6				
Of those struck by the £ 10,000 Act, ...	757	19	8				
Of the small Bills or Tickets,	4,559	7	4				
				£	7,431	14	6
And we do further Report, that we have burnt and destroyed of the abovesaid Sum (before counting the Money in the Chest)							

Of the old and ragged Bills of the several Emissions, struck before the £80,000 ..	£	94	9	0	
And old and torn Bills of the £ 80,000 and £ 10,000	£	1,603	15	0	
And of small Bills or Tickets,		548	14	3	
Makes the whole Sum burnt,					£ 2,246 18 3
Which leaves in the Hands of the Trustees for exchanging of torn and ragged Bills the Sum of					£ 5,184 16 3
And lastly, we Report, that in Pursuance of the Act that gave £ 5,000 to the King's Use, we have burnt and destroyed, the Sum of					£ 500 0 0

Submitted to the Correction of the House, the 19th of the Eight *Month* 1752, by

EDWARD WARNER,
BENJAMIN FRANKLIN,
HUGH ROBERTS,
EVAN MORGAN,
JOHN SMITH,
MAHLON KIRKBRIDE."

Then the House adjourned to the 30th of *September*.

INCIDENTAL CHARGES.

TO the Honourable JAMES HAMILTON, Esq; Lieutenant-Governor, his Support for the current Year,	£	1000	0	0
To *William Allen*, Esq; Chief Judge of the Supreme Court, ...		200	0	0
To *Lawrence Growdon, Esq;* Second Judge of the Supreme Court, ...		60	0	0
To *Caleb Cowpland*, Esq; Third Judge of the Supreme Court, ...		60	0	0
To *Richard Patridge*, Esq; his Salary as Agent, £100 Sterl.		170	0	0
To Ditto, for the Use of the Province, £100 Sterling, ...		170	0	0
To *Edward Kelly*, for sundry Expences of the *Nanticoke Indians*, ...		8	14	4

To *George Croghan*, for Disbursements among the *Indians*,	49	6	0
To Ditto, for Expences in bringing *Samuel Saunders* to Justice,	30	0	0
To the Overseers of the Poor of *Germantown* Township, for Maintenance, *&c.* of a wounded *Indian*,	12	4	6
To Doctor *Charles Bensell*, for Medicines, *&c.* for the said *Indian*	15	0	0
To *John Kelton*, who had a Horse taken from him by the *Indians*,	5	0	0
To the Speaker for drawing Bills, *&c.*	60	0	0
To the Members of Assembly, for their Attendance, at 6 *s. per* Day, the gross Sum,	483	17	0
To *John Smith*, for 26 Days Attendance on the Committee of Accounts, and burning Paper Money, at 6 *s. per Diem*,	7	16	0
To *Benjamin Franklin*, for 22 Days Ditto,	6	12	0
To *Hugh Roberts*, for 22 Days Ditto,	6	12	0
To *Edward Warner*, for 26 Days Ditto,	7	16	0
To *Evan Morgan*, for 20 Days Ditto,	6	0	0
To *Mahlon Kirkbride*, for 4 Days Ditto,	1	4	0
To *Richard Peters*, Esq; Secretary, his Salary as Clerk of Council,	15	0	0
To *Charles Brockden*, Esq; Keeper of the Rolls, his Account,	4	17	11
To *Benjamin Franklin's* Account,	251	10	0
To *William Franklin*, as Clerk to the House,	14	8	0
To *Samuel Kirk*, Sergeant at Arms, his Salary,	8	0	0
To *Charles Stow*, Door-keeper to the Council, for 16 Days, at 2 *s.* 6*d. per Diem*,	2	0	0
To *Edward Kelly*, Door-keeper, his Attendance on the Assembly, 48 Days, at 4*s. per Diem*,	10	5	1
To *Mary Burden's* Account for sundry Services done the House,	5	0	0
To *Charles Essek*, for Attendance on an *Indian*, and burying him,	2	9	8
To *Philip Syng*, his Account for a Silver Inkstand for the Use of the House,	25	16	0
To *William Franklin's* Account,	61	18	6
To *William Evan's* Account, for drawing a List of Taxables,	0	15	0
To *Evan Morgan*, for Cash paid Collector's Clerk for List of Vessels, *&c.*	1	14	0

To *John Hart*, for drawing out a List of Taxables,	0	10	0
To *Benjamin Franklin*, for Printing the Votes and Laws,	34	1	6
	£ 2798	7	6

At an ASSEMBLY *held in* PHILADELPHIA, *the Fourteenth Day of* OCTOBER, ANNO DOMINI 1752.

BY the Returns of the Sheriffs of Six Counties, it appears that the following Gentlemen were chosen to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania* for the ensuing Year, viz.

For *Philadelphia* County
Isaac Norris,
Edward Warner,
Joseph Trotter,
Evan Morgan,
Hugh Evans,
Joshua Morris,
John Smith,
Joseph Stretch.

For *Philadelphia* City.
Benjamin Franklin,
Hugh Roberts.

For *Bucks* County.
Mahlon Kirkbride,
Samuel Brown,
Richard Walker,
Griffith Owen,
Abraham Chapman,
William Hoge,
Joseph Hampton,
Derrick Hogeland.

For *Chester* County.
Joseph Gibbons,
Thomas Cummings,
Nathaniel Pennock,
Peter Dicks,
George Ashbridge,
Nathaniel Grubb,
William Peters,
Jacob Howell.

For *Lancaster* County.
Arthur Patterson,
Calvin Cooper,
Peter Worral,
James Wright.

For *Berks* County.
Moses Starr.

For *York* County.
No Return made, nor Representatives appeared.

For *Cumberland* County.
No Return made, nor Representatives appeared.

For *Northampton* County.
James Burnsides.

And a Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker, and ISAAC NORRIS, Esq; was unanimously chosen Speaker of this House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That *Edward Warner, Benjamin Franklin, Mahlon Kirkbride, Joseph Gibbons, Arthur Patterson, Moses Starr* and *James Burnsides* wait upon the Governor, and acquaint him, that, pursuant to the Charter and Laws of this Province, a

Quorum of the Representatives have met, and proceeded to the Choice of a Speaker, and desire to know when he will be pleased to receive the House, that they may present their Speaker.

A Defect being observed in the Sheriff's Return of Burgesses, chosen for the City of *Philadelphia* (for that it was dated on the Second instead of the Third Instant) the Clerk was ordered to acquaint the Sheriff, that the House require his Attendance on *Second-day* next, in the Morning, in order to amend the same.

Then the House adjourned to next *Second-day*, at Ten o'Clock in the Morning.

The House met pursuant to their Adjournment.

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he would send a Message to the House this Morning.

The Secretary attending, was called in, and, addressing himself to the Chair, said,

"S I R,

The Governor is now in the Council Chamber, ready to receive the House, with their Speaker."

Then the Speaker, with the whole House, waited upon the Governor, and being returned, the Speaker resumed the Chair, and reported, that the House had waited upon the Governor, and presented their Speaker, and that the Governor was pleased to approve their Choice. That the Speaker had then in the Name and Behalf of the House claimed the usual Privileges, *viz.*

That the House during the Time of their Sitting in Assembly, may enjoy Freedom of Speech in all their propositions and Debates.

That the better to discharge the Business of the Public, they may at all seasonable Times have free Access to the Governor.

That their Persons and Estates may be protected from all Arrests and Insults during the Time of Privilege accustomed.

That it would please the Governor to take no Notice of any Report that may be made, touching any Matter of Thing that may be moved or debated in the House, until the same shall have passed into a Resolve, nor give the least Credit to such Report. And lastly,

That his own (the Speaker's) unwilling Mistakes may be excused, and not imputed to the House.

All which he had requested as the just Rights and Privileges of the Freemen of *Pennsylvania*, derived and confirmed to them by the Charters and Laws of the Province.

And that the Governor was pleased to say, they were Privileges the House had an indubitable Right to, and the he should never attempt to infringe them.

Then the Qualifications by Law appointed were taken and subscribed first by the Speaker in the Chair, and then at the Table by all the rest of the Members present, in their Order.

The Sheriff of *Philadelphia* attending, was called in, and being informed by the Speaker of the Defect in his Return, he amended the same at the Table, and then withdrew.

Resolved, That *William Franklin* be Clerk of this House for the ensuing Year.

And he took and subscribed the usual Qualifications accordingly.

Resolved, That *Samuel Kirk* be Sergeant at Arms to this House for the Year ensuing.

Resolved, That *Edward Kelly* be Door-keeper to this House for the ensuing year.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by his Secretary, sent down sundry Letters relating to *Indian* Affairs, with a verbal Message, as follows, *viz.*

'SIR,

The Governor lays before the House a Letter received the Middle of the last Month, by Express from *Robert Calendar*, *Indian* Trader, then in *Carlisle*, wherein he mentions, that *Thomas Burney*, *Indian* Trader, was just come from *Allegheny*, and brought an Account, that 240 *Indians*, headed by two *Frenchmen*, had, in an hostile Manner, attacked a Village of the *Twightwees*, and killed 14 *Indians* and one white Man, and carried away five other white Men Prisoners; that the said *Burney* being in the *Twightwees* Country at the Time of the Attack, saw one of their Chiefs, who desired him to take a Message to the Governor of *Pennsylvania;* which, with a Scalp and five Strings of Wampum delivered with it, were inclosed in the Letter. That the Governor, by the Return of the Express, ordered *Thomas Burney* to come immediately to him, in order to be examined concerning this Matter; but as

he is not come, nor has the Governor any Tidings of him, the Whole rests on Mr. *Calendar's* Letter."

A Petition from *Tench Francis*, Esq; his Majesty's Attorney-General of this Province, was presented to the House and read, setting forth, that the Business of his Office has, for some Years past, greatly encreased, by large Importations of People from several Parts of *Europe*, and the unusual Resort of fugitive Servants, Convicts, and other wicked Persons hither from some of the neighbouring Plantations; that the legal Fees due from the Accused, a fourth Part of which, through the Poverty of Criminals, hath never been paid to the Petitioner, are not, upon the Whole, a Compensation for the great Trouble and Expence in carrying on and attending public Prosecutions; that on these Considerations, this House hath generally given the Attorney-General an annual Salary; that the Petitioner hopes he hath always performed his Duty with such Integrity and Regard to Justice, as not to merit the Censure of this House, by denying him what hath constantly been allowed to his Predecessors: Therefore he prays this House to allow him for his last Year's Service, what they shall think reasonable.

Ordered to lie on the Table.

A Return of the Sheriff of the County of *Cumberland* was brought to the House, by which it appeared that *Joseph Armstrong* and *John Armstrong* were chosen Representatives to serve in Assembly for the said County.

Nathaniel Pennock and *John Armstrong* appearing in the House, took and subscribed the usual Qualification by Law appointed to be taken by Members of Assembly.

The House being informed, that one *John Pattin*, formerly an *Indian* Trader of this Province, is lately arrived from *England*, and now in Town, who had been taken by the *French*, and carried to *Canada*, and from thence sent to *Old France;* the Clerk was ordered to acquaint the said *Pattin*, that the House require his Attendance To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Nathaniel Grubb, returned a Representative for *Chester* County, appearing in the House, took and subscribed the usual Qualifications by Law appointed to be taken by Members of Assembly.

The Speaker laid before the House a Letter from the Honourable THOMAS PENN, Esq; one of the Proprietaries of this Province, relating to the Act *for imposing a Duty on Per-*

sons convicted of heinous Crimes, which was read, and ordered to lie on the Table for the Perusal of the Members.

Sundry Letters from the Agent and his Assistant were laid before the House and read, and

Ordered to lie on the Table.

Resolved, That *Richard Patridge* be Agent of this Province, at the Court of *Great-Britain*, for the ensuing Year.

Resolved, That *Fifty Pounds Sterling* be allowed *Robert Charles*, as an Assistant to the Agent for the ensuing Year.

Ordered, That *Benjamin Franklin* and *Hugh Roberts* be, with the Speaker, a Committee of Correspondence.

Ordered, That *Joseph Trotter*, *Benjamin Franklin*, *George Ashbridge*, and *Peter Worral* be a Committee of Grievances for the ensuing Year; and they have Power to send for Persons, Papers and Records.

Ordered, That *Edward Warner*, *Evan Morgan*, *John Smith*, *Benjamin Franklin*, *Hugh Roberts*, *Mahlon Kirkbride*, *Thomas Cummings* and *Peter Worral* be a Committee to audit and settle the Accounts of the General Loan-Office, and other Public Accounts, and to sink and destroy the Bills of Credit received in Exchange, pursuant to the late Paper-money Acts, and to count all the Monies, and report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands; and they have Power to send for Persons, Papers and Records.

Resolved, That *Michael Lightfoot* be Treasurer of this Province for the Year ensuing.

Ordered, That *John Smith* and *Benjamin Franklin* be a Committee to revise the Minutes before they are printed.

A Petition from *John Pattin* of this Province, *Indian* Trader, was presented to the House and read, setting forth, that the Petitioner being trading with the *Miamis Indians*, Allies of this Province, was on the Twentieth Day of *November*, 1750, taken Prisoner by the *French*, and all his Goods seized, to the Value of *Eight* or *Nine Hundred Pounds;* that he was carried to Fort *Detroit*, and there confined for five Months; from thence he was carried Prisoner over the Lake *Erie* to *Niagara;* thence to *Cadaracqui;* thence to *Montreal;* thence to *Quebec*, where he was again thrown into Prison, and very hardly used; thence, though in a very ill State of Health, he was hurried on Shipboard, and carried to *Rochelle*, in *Old France*, where he was again thrown into Goal, and kept close confined three Months, suffering very great Hardships; that having at length found some Friends, he obtained his Liberty, and went to *Paris* to solicit the Restitution of his Goods: But after three

Months Attendance in vain, he could obtain nothing; and was told, his Goods were confiscated, he being, as they pretended found, trading within the Limits of their Country. On which he returned to this his native Country, but is totally ruined by the said Proceedings of the *French*, which if they continue, our *Indian* Trade must at length be quite discouraged and lost to this Province: Therefore the Petitioner prays this House would take the Premises, with his unhappy Case, into Consideration, and afford him such Relief as to their Wisdom shall seem meet.

Ordered to lie on the Table.

Resolved, That this House will this Day adjourn to the fifteenth Day of the Month called *January* next.

The Letters relating to *Indian* Affairs, which were Yesterday laid before the House by the Governor, were again read, and considered.

Ordered, That *Mahlon Kirkbride* and *George Ashbridge* do wait upon the Governor, and acquaint him, that the House have considered the said Letters, but think proper to defer the further Consideration thereof, till the Governor has had an Opportunity of examining *Thomas Burney;* and further that they acquaint the Governor with the proposed Time of Adjournment.

Ordered, That *John Smith, Joseph Stretch, Benjamin Franklin* and *Hugh Roberts* be a Committee to inspect the Laws of this Province, and report which of them are expired, or near expiring, and ought to be re-enacted; with their Opinion what Amendments to them or others may be necessary.

John Pattin giving his Attendance, according to the Order of the House, was called in, and having answered such Questions as were put to him by the House, he withdrew.

Resolved, That the Sum of *Thirty Pounds* be allowed to the said *Pattin*, towards relieving him in his present Distress.

Ordered, That the Clerk do take down in Writing, the Account which the said *Pattin* gives of the Manner of his having been taken, and of the Places in *Canada*, through which he passed during his Captivity, *&c.* and bring it to the House at their next Meeting.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return and report, that they waited upon the Governor, and delivered the same according to Order, and that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment.

The Petition of *Tench Francis*, Esq; Attorney-General of this Province, was again read, and considered, and

Ordered to lie on the Table.

Then the House adjourned to the fifteenth Day of the Month called *January* next.

THE House met pursuant to their Adjournment.

A Return of the Sheriff of the County of *York* was brought to the House, by which it appeared that *John Wright* and *David M'Conaughy* were chosen Representatives to serve in Assembly for the said County.

The Sheriff having neglected to deliver a List of the Names of the *Bucks* County Electors, with their Places of Abode, as to the Law directs, it was now brought to the House, and ordered to remain upon the Files with the Returns of Members elected for the said County.

Ordered, That *Evan Morgan* and *Hugh Roberts* wait upon the Governor, and acquaint him, that the House is met, according to their Adjournment, and ready to receive any Thing he may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Message of Yesternight, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he had nothing at present to lay before the House; but if any Thing proper for their Consideration should occur to him during their Sitting, he would communicate it by Message.

Joseph Armstrong and *David M'Conaughy*, appearing in the House, took and subscribed the usual Qualification by Law appointed to be taken by the Members of Assembly.

The Clerk brought to the House the Account which *John Pattin* gave of the several Places in *Canada*, through which he passed, when taken by the *French*, together with a Map of that Country drawn by the said *Pattin*.

A Petition from divers Inhabitants of the County of *Chester*, was presented to the House and read, setting forth, that there are a great Number of Persons in that County, who, under the Name of Store-keepers, retail Rum and other spirituous Liquors, and not being under the Restriction of Persons licensed to keep Public Houses, are very injurious to the Inhabitants, by inducing many, whose Circumstances can no ways afford it, to spend at those Places the Chief Part of

what they get, to the great Hurt of their Families, and the Loss of those who have trusted them for real Necessaries of Life; that many Persons by embracing the frequent Opportunities they have of purchasing spirituous Liquors, are rendered unfit for Labour, which is a Loss to the Country, where Labours are much wanted: Therefore praying this House would restrict the said Store-keepers from selling Rum, unless annually recommended to the Governor for a License. *Ordered to lie on the Table.*

A Petition from *John Bessonet* and *Peter White*, of the County of *Bucks*, was presented to the House and read, setting forth, that the Petitioners labour under great Difficulties, as Sureties for *John Hall*, late Collector of the Excise for the County of *Bucks;* that in the Act for laying a Duty on spirituous Liquors, there is a Clause, by which the several collectors of the said Excise are obliged to pay unto the Provincial Treasurer once in Three Months, or oftener, if required, such Sums of Money as they shall receive by Virtue of the said Act; that in another Clause of the said Act, there is a Provision made, by which the said Provincial Treasurer is impowered, in an easy Manner, to recover any Sum or Sums of Money which any of the said Collectors may neglect or refuse to collect and pay unto the said Provincial Treasurer within the said limited Time, that upon the Strength of the abovementioned two Clauses, the Petitioners became bound, with the aforesaid *John Hall*, as Sureties for his faithful performing the Duties of his said Office, well knowing that if the same were strictly observed, the Petitioners, could not be any great Sufferers; that the Treasurer's neglecting to pay a due Regard to the said Clauses, the Petitioners conceive to be the Reason why so large a Sum of Money still lies unaccounted for by the said *John Hall;* that there was such a Neglect the Petitioners presume will not be denied, as the Method by Law prescribed for recovering the said Money from the said Collector has never yet been pursued, nor was a Demand therefore made on the Petitioners, either directly or indirectly until more than six months after he was removed from his said Office. and upwards of eighteen Months from that Time, before any Action was commenced against them; that the said *John Hall*, at the Time of his being deprived of his said Office, and for a considerable Time after, had Effects sufficient to discharge his said Debt, had the proper Steps, as by Law directed for the Recovery of such Monies, been taken; that the said *John Hall* being for a long Time deprived of his Senses, the Peti-

tioners had it not in their Power to do any Thing for their Security till they had first suffered Damages, and now since the Commencement of the Action against them, they are entirely destitute of that Opportunity, as the said *John Hall* has for some Time past been insolvent; that, as a Number of uncommon Circumstances which could not be avoided by the Petitioners, have united to make them liable; they therefore pray this House, would, with their usual Clemency, grant them such Relief as the Nature of their Case will admit. *Ordered to lie on the Table.*

Then the House adjourned to Three o'clock, *P. M.*

Ordered, That the Clerk do make out a List of all such Matters as were referred to the Consideration of this Assembly by the last, and lay it before the House Tomorrow Morning.

The Speaker and *Benjamin Franklin* are requested to procure such Books and Maps as they may think suitable and necessary for the Use of this House; and it is

Ordered, That the Trustees of the Loan-Office do supply them with such Sums of Money as they may require for that Purpose; which shall be allowed by the Committee of Accounts, in their next Settlement with the said Trustees.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Agreeable to the Order of Yesterday, the Clerk laid before the House a List of the several Matters referred to the Consideration of this Assembly by the last.

The Report of the Committee on Paper Currency, Trade, Numbers of People, &c, referred to the Consideration of this Assembly by the last, was read, and considered, and after some Time spent thereon,

Resolved, That this House will To-morrow Morning resolve itself into a Committee of the whole House upon the said Report.

Then the House adjourned to Three o'Clock, *P. M.*

The House met, and adjourned to Ten o'Clock To-morrow Morning.

James Wright and *John Wright* appearing in the House, took and subscribed the usual Qualifications by Law appointed to be taken by Members of Assembly.

The Resolve of Yesterday being read, the House resolved itself into a Committee of the whole House, upon the Report

of the Committee on Paper Currency, Trade, Numbers of People, *&c.* and after a considerable Time spent therein, the Speaker resumed the Chair, and *Hugh Evans*, Chairman, reported from the Committee, that they had come to sundry Resolutions, which they had directed him to report, when the House will please to receive the same.

Ordered, That the said Resolutions be now received.

Whereupon *Hugh Evans* accordingly read the said Resolves of the Committee in his Place, and afterwards delivered them in at the Table, where they were again read, and are as followeth, *viz.*

Resolved, N. C. D. That it is the Opinion of this Committee, that it is necessary that the Paper-Money of this Province should be re-emitted for a further Time.

Resolved, N. C. D. That it is the Opinion of this Committee, that there should be a Sum struck, to exchange the ragged and torn Bills, now by Law current within this Province.

Resolved, N. C. D. That it is the Opinion of this Committee, that there is a Necessity of a farther Addition to the Paper-Money, at present current by Law within this Province.

The Consideration of the above Resolutions of the whole House was referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The Resolutions of the Committee of the whole House being again read, and considered, were unanimously agreed to by the House.

Ordered, That *Edward Warner*, *Evan Morgan*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Joseph Gibbons*, *James Wright*, *John Wright*, *John Armstrong*, *Moses Starr* and *James Burnsides* be a Committee to prepare and bring in a Bill, agreeable to the Resolves of the said Committee.

Then the House adjourned to Ten o'Clock, To-morrow Morning.

A Bill for striking the Sum of *Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, was brought to the House by the Committee appointed for that purpose, and read the first time, and ordered a second reading.

The Petition from sundry Inhabitants of *Chester* County, against the retailing of Rum by Storekeepers, *&c.* was again read, and after some Time spent in Consideration thereof,

Ordered to lie on the Table.

A Petition (together with several Certificates, and a List of Expences relating to the same) from *Richard Richardson*, *Thomas Jervis*, and *John Hembright*, of this Province, was presented to the House and read, setting forth, that on the first Day of August last, a very barbarous and horrid Murder was committed upon the Bodies of *John Thomas* and *Eleanor Davis*, of *Chester* County, by three Men, who were Strangers, and at that Time unknown to any Person within this Province; that it appears by a Deposition of *Richard Richardson* (one of the Petitioners) taken before one of the Magistrates of the City of *Philadelphia*, that the said *Richardson*, had just before the Perpetration of said Murder, stopped and examined three Persons, who informed him, that they came from *Kent* County, in *Maryland*, and produced certain Writings, certifying them to be Freemen of that Province; that from many concurring Circumstances there was great Reason to believe, that those Persons had committed the said Murder; and upon the Information the further Description given of them by the said *Richardson*, the Governor thought proper to issue his Proclamation, for having them apprehended, and was pleased particularly to direct and appoint the Petitioners for that Service; that accordingly on the Seventeenth Day of said *August*, the Petitioners set out, and travelled through several of the Counties of *Pennsylvania*, *Maryland* and *Virginia*, in Pursuit of said Murderers, until the Seventeenth of *September* following, when not meeting with Success, they returned, after having in every Place through which they passed fully described them, and apprized the Country; that, after their Return, Information being given them by one Justice *Wilmore*, of *Maryland*, that he had Reason to think that the said Murderers were then skulking about the city of *Philadelphia*, they went and acquainted the Chief Justice therewith, who granted them a Search Warrant, upon which they made strict Enquiry in and about the said City, for two Days and an Half, and at last found that the Persons suspected were no-ways concerned; that soon after, one of the said Murderers was apprehended by one *Patrick Kearns*, of *Maryland*, and committed to *Chester* County Goal, and upon the Discoveries made thereby, *Thomas Jervis* went into *Maryland*, in Quest of the other two; in the mean Time *Dillon*,

another of the said Murderers, was taken up and committed to Philadelphia Goal, and in appearing by his Confession, that there were sundry Persons in *Maryland* privy to the said Murder, the said *Jervis*, on his Return, did, at the Request of the Chief Justice, Secretary and Attorney-General go again into *Marlyand*, in order to have those Persons apprehended, and he accordingly did apprehend *Patrick Kearns* and Wife, *Philip M'Dermot* and Wife, *James Braddy*, *Hugh M'Guire* and *James Neily*, and caused them to be examined before one of the Provincial Judges of *Maryland*, who committed *Kearns*, *M'Dermot* and Wife, to Goal, as Accessaries to the said Murder; that the said *Kearns* being, in all Probability, concerned as an Accessary in the aforesaid Murder, the Petitioners conceive he ought not to be entitled to any Part of the Reward offered by this House for apprehending of the said Murderers, and as the Petitioners have been at great Expence and trouble in pursuing and endeavoring to bring the aforesaid Murderers to Justice, and as it was likewise, in a great Measure, owing to the Evidence given by *Richard Richardson*, at their Trial, that one of them was at last convicted; they therefore humbly pray that this House would, in their great Goodness and Justice, cause the Reward that would have been due to *Kearns*, had he not been a Party concerned, to be paid them, or otherwise make them some Allowance for their great Expences, Loss of Time, and Trouble, as to the Wisdom of this House shall seem most meet. *Ordered to lie on the Table.*

The Lists of the Names of the Electors of the County of *Berks* were now brought to the House; the sheriff having neglected the same at the Time he made his Return.

Then the House adjourned to Ten o'clock To-morrow Morning.

The Title of the Bill for striking the Sum of to be made current, and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, was read, and after mature Deliberation thereupon, it was unanimously agreed to by the House, that the Sum of *Twenty Thousand Pounds* should be inserted therein, and the Bill be referred to further Consideration.

Then the House adjourned to next *Second-day*, at Three o'clock in the Afternoon.

The House met pursuant to their Adjournment.

The House resumed the Consideration of the Bill for striking the Sum of *Twenty Thousand Pounds*, to be made current, and emitted on Loan, and for re-emitting, and continuing the Currencey of the Bills of Credit of this Province; and after some Time spent therein, it was referred for farther Consideration till To-morrow Morning.

Then the House adjourned to Ten o'clock To-morrow Morning.

Four Petitions from a considerable Number of the Inhabitants of the County of *Northampton* (together with a Certificate of two of the Assessors of said County, relating thereto) were presented to the House and read, setting forth, that the Petitioners are under Apprehensions that great Inconveniencies may accrue to the Inhabitants of that County, by reason of one Person holding at the same Time several Offices of Trust, which interfere with one another; that the present Sheriff of the said County has lately been appointed Clerk to the Commissioners, and Treasurer of the County; which Offices, were they vested in several Persons, would, as the Petitioners conceive, be likely to be better discharged, as they would probably be a Check upon each other; that by the present Manner of summoning Juries, the Sheriff has it very much in his Power, should he be so inclined, to summon such a Jury as he thinks most likely to favour him in the Settlement of such of the Public Accounts, wherein he is, or may be concerned; that the said Sheriff likewise, under Colour of a Commission of the Peace, issued before he was chosen Sheriff, continues to act as a Justice of the Peace for that County, and not contended to act in that Station at Home, he has of late gone from one Tavern to another, throughout a great Part of the said County, issuing his Precepts to bring Persons before him, and there hearing and determining Actions for small Debts, and giving public Notice, from Time to Time, at what Tavern he will next attend, whereby great Numbers of People, some of them very disorderly, are drawn together, and being many of them heated and intoxicated with Liquor, have been induced to put their Neighbors to Trouble and Expence for very trivial Matters, which, it is highly probable, they would not have done if they had not been disordered with strong Drink, almost ever the Consequence of such Meetings: Therefore the Petitioners humbly pray this House would take the Premises into Consideration, and grant them such Relief as their Case seems to require.

Ordered to lie on the Table.

The House resumed the Consideration of the Bill for striking the Sum of *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, and after a considerable Debate thereon,

Resolved, That the Borrowers on former Paper-Money Acts be in the present Bill allowed to renew their Mortgages.

Resolved, That the Time of such Renewal be limited to one Year.

And the further Consideration of the said Bill was referred to the Afternoon.

Then the House adjourned to Three o'clock, *P. M.*

The House again resumed the Consideration of the Bill for striking the Sum of *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province; and after some Debate thereon,

Resolved, That the Sum for which Borrowers on former Emissions shall be allowed to renew their Mortgages, do not exceed *One Hundred Pounds.*

Resolved, That the Renewals of such Mortgages be at the Charges of the Province.

Ordered, That Candles be brought in.

And they were brought in accordingly.

And after some further Debate,

Ordered, That the aforesaid Bill be re-committed to the Committee who brought it in, to be made agreeable to the Resolves of the House thereupon.

Then the House adjourned to Ten o'clock To-morrow Morning.

The Committee to whom the Bill for striking the Sum of *Twenty Thousand Pounds* to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province was committed, reported, that they had amended the said Bill, pursuant to the Order of the House.

And the said Bill being read, with the Amendments of the Committee, was ordered to be transcribed for a third Reading.

The Petitions from sundry Inhabitants of *Northampton* County, together with the Certificate of two of the Assessors of said County relating thereto, being again read;

Ordered, That *James Burnsides* do wait upon the Governor, with a Copy of said Petition and Certificate, and acquaint

him, that the House desires he would be pleased to take that Part of the said Petition into his Consideration, which relates to the Conduct of the Sheriff of said County, as a Justice of the Peace.

Ordered, That the other Parts of the said Petition, be referred to the Consideration of the Committee of Grievances; who are to enquire into the Facts therein set forth, and report thereon to the House.

Then the House adjourned to Three o'clock, *P. M.*

The Bill for striking the Sum of *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, being transcribed, was read the third Time;

Resolved, That the Bill do pass.

Ordered, That *Edward Warner* and *Benjamin Franklin* do wait upon the Governor with the said Bill, and desire his Concurrence.

Then the House adjourned to Ten o'clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, reported, that they had delivered the same according to Order; and that the Governor was pleased to say, he would give it all the Dispatch in his Power.

The House taking into Consideration the Accounts of the late Superintendant of the State-house, as they stand on the Minutes of this House;

Resolved, That the present Superintendants of the State-house do allow in their Settlement with the Executors of the late Superintendant, *Five per Cent* on the Sum of £ 1030 6 8, laid out by him on the said House and Wall, inclosing the same.

Then the House adjourned to Three o'clock, *P. M.*

The Petition of *John Bessonet* and *Peter White* was again read, and considered.

Ordered, That the Clerk do make out a Copy of the said Petition, and serve the Treasurer therewith, and acquaint him, that the House require his Attendance on *Third-day* next, when he may offer what he has to say in Answer thereto.

Ordered, That there be likewise Notice sent to the said Petitioners, to attend this House at the same Time.

And *Samuel Brown*, one of the Represntatives for the County of *Bucks*, undertook to give them Notice accordingly.

Then the House adjourned to Ten o'clock To-morrow Morning.

Ordered, That *George Ashbridge* and *John Armstrong* wait upon the Governor, and acquaint him, that the House desires to know if he has come to any Result on the Bill now before him; and if not, that then they inform the Governor, the House inclines to adjourn to *Second-day* next in the Afternoon.

A Petition from *James Read*, Esq; Prothonotary of the County of *Berks*, was presented to the House and read, setting forth, that the Petitioner was Clerk of the Crown of this Province, from *September* 1745, to *May* 1752; that in the said Office many Services are done which employ great Part of the Officer's Time, namely, in giving due Attendance upon the Honourable the Justices of Oyer and Terminer and General Goal Delivery, to take the Examinations of Accusers, Criminals, *&c.* which sometimes takes up a Week or more, and in the Discharge of his public Duty in said Court; that the Petitioner humbly conceives *(for sundry Reasons set forth at large in his said Petition)* that he ought to apply to this House for a Satisfaction for his said Trouble, rather than to the respective Counties of this Province; that therefore the Pititioner has presumed to exhibit to this House sundry Bills of Costs in Causes, where, through the penurious Circumstances of the Criminals and others charged with capital Offences during his said Clerkship, he has not been able to obtain his just Fees, which he humbly prays this House would cause to be paid to him, and make him such farther Allowance for his extraordinary Trouble and Service in the said Office, as they shall think just and equitable.

Ordered to lie on the Table.

The Bills of Costs referred to in the above Petition were also read, and

Ordered to lie on the Table.

The Gentlemen appointed to wait upon the Governor with the Message of the House, returned and report, that they had delivered the same according to Order; and that the Governor was pleased to say, that the House might expect a Message from him this Afternoon.

Then the House adjourned to Three o'clock, *P. M.*

The Governor, by his Secretary, sent down the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, with a Message in Writing, which was read, and follows, *viz.*

GENTLEMEN,

'THE many Advantages we derive from the Use of Paper-Money, ought to make us extremely careful to avoid every Step that may possibly endanger it.

'I am well assured the Dislike raised in *Britain* of the Bills of Credit in the Plantations, by the late too general and undistinguished Complaints, still so warmly subsists, as to make any Application to the Crown about our Currency at this Time very unseasonable.

'With a View, therefore, that no Share of your Time may be spent unprofitably, I think myself obliged to declare to you thus early (though with a good deal of Concern for our Difference in Opinion) that I cannot at present give my Assent to any Bill for re-emitting the Current Money of the Province, or for issuing any additional Sum.

January 26, 1753. JAMES HAMILTON."

The Secretary acquainted the House, that the Governor had taken that Part of the Petition from *Northampton* County, which the House had referred to him, into Consideration, and had given proper Orders for remedying the inconvience complained of.

Then the House adjourned to Nine o'clock To-morrow Morning.

Resolved, That this House will this Day adjourn to the Twenty-first Day of the Month called *May* next.

The House took into Consideration the Governor's Message of Yesterday, and after some Time spent therein,

Resolved, That a Message be now prepared, in Answer to the same; which being accordingly done, it was read, and agreed to by the House, and ordered to be transcribed.

The Message to the Governor being transcribed, was again read, and follows in these Words, *viz.*

May it please the GOVERNOR,

WE are well pleased to find by the Governor's Message of Yesterday, that he concurs with us in that important Point, a Sense of the many Advantages we derive from the Use of our Paper Money: We would therefore be equally careful

with the Governor to avoid every Step that may possibly endanger it. But as we do not think, that the Dislike, raised in *Britain*, of the Bills of Credit in the Plantations, was so general and undistinguishing, or still so warmly subsists, as the Governor seems to apprehend; so we do not conceive that an Application to the Crown about our Currency would, at this Time, be unseasonable.

We are equally concerned with the Governor for our Difference in Opinion; and that, in an Affair of such Importance, we may not seem to act too precipitately, we are willing to take the Governor's Objections into Consideration till our next Meeting, and propose to make a short Adjournment for this Purpose."

And the said Message being signed by the Speaker, by Order of the House;

Ordered, That *Peter Worral* and *David M'Conaughy*, wait upon the Governor, and deliver the same; and further, that they acquaint the Governor, that the House are inclined to adjourn to the Twenty-first Day of the Month called *May*, if he hath no Objection to that Time.

Ordered, That *Edward Warner*, *Evan Morgan*, *Joseph Stretch* and *Hugh Roberts* be added to the Committee of Grievances for the present Year.

Ordered, That the Provincial Treasurer, and the Sureties of *John Hall*, late Collector of *Bucks* County, who were ordered to attend this House on *Third-day* next, be acquainted, that the House require their Attendance at the next Meeting of Assembly.

Ordered, That the Message from the Governor to the Assembly, and the Assembly's Answer thereto, be printed in the next Gazette.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return and report, that they had delivered the same according to Order; and that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment.

Then the House adjourned to the Twenty-first Day of the Month called *May*.

THE House met pursuant to their Adjournment.

Ordered, That *Edward Warner* and *Evan Morgan* wait upon the Governor, and acquaint him, that the House is met according to their Adjournment, and ready to receive any Thing he may have to lay before them.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return and report, that they had delivered the same according to Order; and that the Governor was pleased to say, he should send a Message to the House some Time To-morrow.

Then the House adjourned to Ten o'clock To-morrow Morning.

The Governor, by his Secretary, sent down a written Message to the House, together with sundry Papers relating to *Indian* Affairs, referred to therein, which were read; and the Message is as follows, *viz.*

GENTLEMEN,

'BY the Intelligence contained in the several Papers now laid before you, it may be expected, that the County of *Allegheny*, situate on the Waters of the *Ohio*, partly within the Limits of this Province, and partly within those of *Virginia*, already is, or will be in a very little Time, invaded by an Army of *French* and *Indians*, raised for this Purpose by the Governor of *Canada*. And that the *Indians* inhabiting there, who are of the *Six Nations*, with a Mixture of *Shawanese* and *Delawares*, Friends and Allies of *Great-Britain*, will be obliged to retire and leave their Country for Want of Means to defend it against this armed Force; as will also the *Twightwees*, lately recommended to our Alliance by the *Six Nations*. And that his Majesty's Subjects of this and the neighboring Colonies, now carrying on a just and lawful Trade with these *Indians*, will be cut off, or made Prisoners, and their Effects seized and plundered, unless the Messengers dispatched by me to *Ohio*, immediately on receiving the Advices from the Governor of *New-York*, shall have arrived time enough to give our Traders and *Indian* Allies an Opportunity of taking Measures for their own Security.

'The Advices communicated to my by Governor *Clinton*, are further confirmed by Mr. *Andrew Montour*, who happened lately to be at *Onondago*, on Business of the Government of *Virginia*, with the *Six Nations*, heard the Message of the Governor of *Canada*, avowing these hostile Proceedings, delivered to the Council there by seven *French Indians;* together with the Council's Answer, asserting their Independancy, and the Property of the Soil, and forbidding the *French* from settling their Lands at *Ohio*, or disturbing the *English* Traders; but your own Judgment will suggest what such Prohibition can amount to from a People who are not at present

in a Condition to defend themselves, and who, besides, are starving for Want of the Necessaries of Life.

'Under these Difficulties what can they do, unless his Majesty's Governors, to whom they will undoubtedly make very earnest Applications, shall afford them Assistance? And if this be not now given them suitable to their Necessities, can it be thought that they will any longer adhere to their Alliances, or hesitate to put themselves and their Allies under the Protection of *France*, who they see in a Condition to protect them?

'Think, Gentlemen, I beseech you, of the Consequences of having Forts built, and *Indian* Nations settled by the *French*, within and near the Limits of this Province, and within a small Distance from the inhabited Part of it. Are the People, settled on our *West* Frontiers, like to live in Peace and Quietness, or to be able to preserve their Possessions? Or will they not desert them and the Fruits of their Labour, and seek for Habitations elsewhere, rather than see themselves continually exposed to the Inroads and Depredations of Enemy *Indians*? But there is no Need for me to enlarge on this disagreeable Subject, or to set forth the sad Effects that must unavoidably arise from the Neighborhood of *French* Forts and Settlements; since these will naturally offer themselves to the Mind of every One, I therefore earnestly entreat you to take this Matter into your serious Consideration. And as there is great Reason to expect that Applications will be made to me, as well on the Part of the *Six Nations* at *Onondago* as by those who reside to the Westward, and are like to be more immediately affected by these Proceedings, I request you would, in your present Sessions, enable me to give them Assistance answerable to their Exigencies; sensible as you must be, that it is the indispensible Duty of every Government to protect and take Care of all its Inhabitants, whether they be his Majesty's natural born Subjects, or Natives of *America*, in Amity with the Crown of *Great-Britain*, or their Friends and Allies.

May 22, 1753. JAMES HAMILTON."

A Petition from a considerable Number of the Inhabitants of the County of *Lancaster* was presented to the House and read, setting forth, that divers of the Petitioners have, from Time to Time, informed their Representatives, that they were greatly straightened for want of a sufficient Currency to carry on their necessary Affairs; that their Difficulties daily in-

creasing, they now beg Leave to lay a Part of them before this House, which are as follows: That, though Numbers of the Petitioners have Effects sufficient to answer all their Occasions, yet by Reason of the extreme Scarcity of Money, they can neither get in their Debts, nor convert their Effects into Cash, even though they were wiling to dispose of them greatly under Value; that the Truth of this may be demonstrated from the great and unusual Increase of Actions in the Courts, which many can no otherways avoid or answer, than by giving up the Whole of their Substance to their Creditors, or submitting to a Goal; for those who would part with their Lands to pay their Debts, find the Price of said Lands very considerably fallen, by Reason of the great Scarcity of Money throughout the Country; that they apprehend, that unless there is a further Supply of Paper Bills of Credit granted, those, and many more Evils not mentioned, must daily increase, and finally end in the Ruin of the Province; therefore praying this House would do whatever in them lies to redress the Grievances complained of.

Ordered to lie on the Table.

A Petition from *George Henry*, *John Evans*, *James Devoy*, and *Owen Nicholson* was presented to the House and read, setting forth, that they are in a poor and distressed Condition, by Reason of their having been taken Prisoners by a Number of *French Indians*, with a *Frenchman* at their Head, who carried them to *Quebeck* and from thence sent them to *Rochelle*, in *Old France*, where they were released by the *English* Embassador, and by him sent to *London*, from whence they got Passage to this Place; therefore praying this House would consider the Petitioners unhappy Case, and grant them as much Money as will bear their Expences to *Cumberland* County, the Place of their Residence.

Ordered to lie on the Table.

Ordered, That the Clerk do inform the said Petitioners, that the House require their Attendance this Afternoon.

Then the House adjourned to Three o'clock, *P. M.*

The Petitioners who were ordered to attend the House this Afternoon, giving their Attendance accordingly, were called in, and having answered such Questions as were put to them by this House, withdrew.

Ordered, That the Sum of *Sixteen Pounds* be allowed to the said Petitioners, towards defraying their Expences home to

Cumberland County. And an Order was accordingly drawn on the Treasurer for the same, and signed by the Speaker.

Then the House adjourned to Ten o'clock To-morrow Morning.

Sundry Letters from *Richard Patridge*, Esq; Agent in *London*, were laid before the House by the Committee of Correspondence, together with the following Account of the Value of Exports from *Great-Britain* to this Province, viz.

An Account of the Value of the Exports from England *to* Pennsylvania *in Three Years, from* Christmas 1748, *to* Christmas 1751, *distinguishing each Year.*

	Value of Exports of English Produce			Value of Exports per Certificate			Total Exports		
From Christmas 1748 to Christmas 1749,	£ 191,833	s. 0	d. 6	£ 46,804	s. 2	d. 4	£ 238,637	s. 2	d. 10
1750,	156,945	7	10	60,767	13	0	217,713	0	10
1751,	129,503	17	1	61,413	8	0	190,917	5	1
Total,	478,282	5	5	168,985	3	4	647,267	8	9

And the said Letters and Account being read, were ordered to lie on the Table for the Perusal of the Members.

The Message from the Governor to the Assembly was again read, and considered, and referred to further Consideration.

Ordered, That a Copy of the Representation, which the Assembly on the 24th of *August* 1751, delivered to the Governor, in order to be by him transmitted to the Proprietaries, be now read.

And the same was done accordingly.

Ordered, That *Joseph Trotter* and *Hugh Roberts* wait upon the Governor, and desire to know if he hath as yet received any Answer from the Proprietaries to the said Representation.

The Petition from a considerable Number of the Inhabitants of the County of *Lancaster*, requesting an Addition to the Paper Currency of this Province, was again read, and considered.

Ordered, That the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, referred to this Sitting of Assembly, be now taken up and read; which was according done, and the Consideration thereof referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he had, since the last Meeting of this House, received from the Proprietaries an Answer to the Representation of the Assembly in 1751, which he would send to the House this Afternoon.

Another Petition from a considerable Number of Inhabitants of the County of *Lancaster*, praying a further Addition to our Paper Currency, was presented to the House and read, and

Ordered to lie on the Table.

The Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, was again read, and considered, and the further Consideration thereof referred to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, sent down the Proprietaries Answer to the Representation of the Assembly in *August* 1751, which was read, and ordered to lie on the Table for the Perusal of the Members.

The Messages of the Governor and Assembly in *August* 1751, concerning *Indian* Affairs, and the Proprietaries bearing a proportionable Part of the Expences thereof; and the Report of the Committee, about that Time appointed to search the Records and Minutes of the House, relating thereto, with the Assembly's Resolve on said Report, were read, together with the Representation sent to the Proprietaries in Pursuance of said Resolves, and were *Ordered to lie on the Table.*

The Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, being again read, and considered; some Alterations were made therein, and

Ordered, That *Edward Warner*, *John Smith*, *Benjamin Franklin*, *Hugh Roberts*, *Mahlon Kirkbride*, *Joseph Gibbons*, *Arthur Patterson*, *John Wright*, *Joseph Armstrong*, *Moses Starr* and *James Burnsides* be a Committee to prepare a Draught of a Message to be sent up to the Governor with the said Bill this Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare a Draught of a Message to the Governor, reported, that they had made some

Progress therein, but not having as yet compleated the same, desired that further Time might be allowed them for that Purpose; to which the House assented.

A Petition from sundry Inhabitants of the County of *Bucks* was presented to the House and read, setting forth, that the Holding the Supreme Courts in the County of *Philadelphia* only, and not in the several Counties, according to the law in that Case made and provided, is a great Grievance to the Petitioners, as they are by that Means put to considerable Expences in attending those Courts as Jurors, *&c.* besides their Loss of Time; that they are humbly of Opinion, that at the Time of making the Law above mentioned, the Circumstances of the Province were such, as that the Times therein limited, for holding the said Courts in the several Counties, were suitable and sufficient, but those Circumstances being since much altered, both with respect to the Number of Inhabitants, and Increase of Business at those Courts, it has now become impracticable for the Judges to attend at the several Counties, at the Times by Law required, and go through the necessary Business, which has occasioned the introducing the Practice of holding all the said Courts at *Philadelphia*, to the great Inconveniency of the Inhabitants of the other Counties; therefore praying this House would take the Premises into their serious Consideration, and grant such Relief as in their Wisdom they shall judge most meet. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of a Message to the Governor, to accompany the Bill for striking *Twenty Thousand Pounds*, to be made current and emitting on Loan, and for re-emitted and continuing the Currency of the Bills of Credit of this Province, reported the same to the House, and it was read by Order, agreed to, and ordered to be transcribed.

Then the House adjourned to Three o'Clock, *P. M.*

The Message to the Governor being transcribed, was again read, and follows in these Words, *viz.*

May it please the GOVERNOR,

THE Governor's Apprehension, at our last Sitting, that the Dislike raised in *Great-Britain* of the Bills of Credit in the Plantations by the late too general and undistinguishing Complaints, so warmly subsisted, as to make any Application to the Crown about our Currency at that Time unseasonable,

induced the House, notwithstanding their different Sentiments, to make a short Adjournment, to consider farther of the Weight of that Objection; and also of the Sums by that Bill proposed to be made, and continued current in this Province. And now, when we reflect, that though the Complaints against a Paper Currency, arising from the Excesses of some Colonies therein, were indeed at first too general and undistinguishing, so as to occasion the bringing into Parliament a Bill for restraining the same in all the Colonies; yet, as upon strict enquiry (a State of our Currency then lying before them) the Parliament thought fit to alter the Bill, and lay the Restraint only on those Colonies where that Currency had been abused, we cannot but look on this as distinguishing in our Favour; especially as we are assured, that no Complaints were ever made of our Currency by the *British* Merchants, trading hither, who only could be affected by it; but that on the contrary they have, whenever called upon for their Opinion by the Parliament or the Lords of Trade, appeared openly and warmly in its Favour, and declared (as they did in 1739, when our Act for *Eighty Thousand Pounds*, the present Sum, was under Consideration) "That it was not only a reasonable Sum, but absolutely necessary for carrying on the Commerce of the Country;" which appears by the Report of the said Lords, made on that Occasion to the Council. And as the Exports from *Britain* to this Province, of which we have authentic Accounts, had then, in the three preceding Years, amounted to no more than *One Hundred Seventy-nine Thousand Six Hundred Fifty-four Pounds, Nine Shillings* and *Two-pence Sterling;* and now in the Years 1749, 1750, and 1751, they amount to *Six Hundred Forty-seven Thousand Three Hundred Seventeen Pounds Eight Shillings* and *Nine-pence Sterling;* and our Numbers of People, and Domestic Trade, and the Occasions for a Medium of Commerce, are equally increased, there cannot, we think, be any Doubt, but the *British* Merchants will now likewise be of Opinion, that the small Addition we at present propose is absolutely necessary, though they may not think it so suitable to our Circumstances as a larger Sum; *One Hundred Thousand Pounds* of Paper Currency bearing by no means the same Proportion to our Trade now, as *Eighty Thousand Pounds* did then. And it is certain, that as the Money circulating among us diminishes, so must our Trade and Usefulness to *Great-Britain*, and our Consumption of its Manufactures, diminish.

Upon the Whole, we intreat the Governor to consider the distressing Circumstances under which the Trade, and in Consequence the whole Province, must languish, if contrary to our Expectations, the Bill we now present him should not be enacted into a Law. And we are well assured, that as the Governor has been pleased to declare his Sentiments of the many Advantages we derive from the Use of Paper Money, his transmitting it Home, in a true Light, will make our Application to the Crown as effectual as it is seasonable."

And the said Message being signed, by the Speaker, by Order of the House;

Ordered, That *Mahlon Kirkbride* and *Peter Worrall* wait upon the Governor, and deliver the same, together with the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province.

A Petition from the United Brethren, living at *Bethlehem*, in *Northampton* County, was presented to the House and read, setting forth, that when the Township of *Bethlehem* belonged to *Bucks* County, the said Brethren were treated with Equity and Moderation, and the Law of this Province, entituled, *An Act for the more effectual raising County Rates and Levies* (which gives the Commissioners and Assessors Power to act, in raising the Tax, according as Circumstances shall appear to them) was never made Use of in order to lay a Tax on the young Men belonging to their Society, but that they were always taxed in general, as a Body of People (their young Men not going abroad to work and earn Money) which appears by an annexed Paper, marked Letter A, containing an Account of all the Taxes paid by them from the Year 1745, to 1752, inclusive; that since the said Township has belonged to *Northampton* County, the said Brethren, who live on four Plantations, *viz. Bethlehem*, *Nazareth*, *Gnadenthal* and *Christiansbrun*, are not only taxed higher than ever before, but also an additional Tax of *Nine Shillings* a Head is laid upon all their young Men; so that their Taxes, which since 1747 never amounted to *Nine Pounds*, are now raised to *Seventy-three Pounds, Nine Shillings*, as will apepar by an annexed Paper, marked Letter B; that the said Brethren thinking themselves much aggrieved by the said Tax, made Application to the Court of Appeal (as may be seen by another Paper annexed, marked Letter C) but could meet with no Redress; they therefore pray that this House would take the Premises into Consideration, and grant them Relief therein, as they apprehend their Case is very different from that of

other young People in this Province, who by going about to work, earn oftentimes more Money than a common Planter can do, and are, as the Petitioners conceive, the Persons praticularly meant in the aforesaid Act.

Ordered to lie on the Table.

The several Papers, A, B, C, referred to in the above Petition, were likewise read, and

Ordered to lie on the Table.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return and report, that they had delivered the same according to Order, and that the Governor was pleased to say, he would take it into Consideration, and return an Answer to the House shortly.

The Message from the Governor, of the 22d Instant, relating to *Indian* Affairs, was again read, and considered, and referred to further Consideration.

The Committee of Grievances made a Report in Writing, which was read, and is as follows, *viz.*

WE the Committee of Grievances, to whom Part of the Petition from *Northampton* County, containing sundry Complaints of the Conduct of *William Craig*, Esq; Sheriff of the said County, was referred, do report,

That having met and considered the said Petition, we directed the Clerk to make out and transmit a Copy thereof to the said Sheriff, and acquaint him by Letter, that the Committee were willing to hear what he might have to say in his Justification, before they made their Report to the House; and appointed the first of *February* for that Purpose. We also directed that Notice should be given to some of the principal Petitioners, that they might also attend and be heard in support of the Allegations contained in their Petition.

On the Day appointed for such Hearing, several of the Petitioners attended accordingly, but the said *William Craig* not appearing, the Committee adjourned to the Day following, when they received a Letter said to be from the said *Craig*, requesting a farther Day; which the Committee allowed, and appointed the 21st Instant, of which he had due Notice. Several of the Petitioners again attended on the said Day, but the Sheriff has not appeared, nor sent his Reasons.

Your Committee, however, are informed by the Petitioners attending, that the principal Causes of Complaint set forth in their Petition are removed, the Sheriff having for some Time past declined acting as a Justice of the Peace, and likewise given up the Officer of Treasurer of the County.

But the Petitioners attending, do now farther complain, and say, that the Commissioners and Assessors of their County having appointed to meet at *Eastown*, to hear Appeals on the 7th of *February*, the said *Craig*, as their Clerk, did by Letters to some of them, alter the Place of Meeting, and appointed his own House, 17 Miles distant, where only four Assessors, and two of the Commissioners being met (the others, who had no Notice of the Change, being gone to *Eastown*) the Choice of a new Treasurer was proposed; and, though objected to as an unfair Proceeding, no Notice having been given in the Letters by which they were summoned of the Intention to make such Choice at that Time, and the Board not being full, yet it was carried by the Votes of two Assessors, with the two Commissioners, and one *James M'Callister*, was said to be chosen, who accordingly undertook the Office. But a certain Schoolmaster, who sometimes acts as a Clerk to the said *Craig*, receiving the Money as brought in by the Collectors, and giving Receipts therefor, signed with the Name of said *M'Callister*, though not wrote or signed by him, nor said to be on his Behalf, they apprehended that the said *M'Callister* only colours the Office of Treasurer for the said *Craig*, who by the above-mentioned Artifice procured him to be chosen; and that the said *M'Callister* will not by such Receipts be accountable for the Monies received.

The Complainants produced to your Committee one of the said Receipts, which appears on Comparison not to be the Hand-Writing of the said *M'Callister*, nor signed by him; but to be of the same Hand-Writing with the Letter the Committee received as from *William Craig;* they produced also the Protest of *John Holder*, one of the Assessors, against proceeding to the Choice of a Treasurer as aforesaid, with one of the Letters of Notice appointing that Meeting. All which we lay before the House, and the Whole is humbly submitted by

EDWARD WARNER
EVAN MORGAN,
B. FRANKLIN,
HUGH ROBERTS,
JOSEPH STRETCH,
PETER WORRAL,
JOSEPH TROTTER."

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Report of the Committee of Grievances was again read, and considered, and referred to further Consideration,

Then the House adjourned to next *Second-day*, at Three o'Clock, *P. M.*

The House met pursuant to their Adjournment.

The Petition from the United Brethren, living in *Bethlehem* Township, in *Northampton* County, was again read and considered, and referred to farther Consideration.

The Petition from *Bucks* County, relating to the Holding of the Supreme Courts in *Philadelphia*, was again read, and considered, and referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, sent down to the House some Letters he had received from *William Trent*, relating to the present Situation of *Indian* Affairs at the River Ohio.

The Secretary likewise acquainted the House, that *John Harris*, the Messenger sent by the Governor's Order to *Ohio*, was returned, and now in Town; as were also some others, who were present when the said Messenger delivered his Message to the *Indians;* and that, if the House inclined to ask them any Questions, they were ready to give their Attendance for that Purpose.

And the Secretary being withdrawn,

The Letters from the said *William Trent* were read, as was also the Governor's Message, relating to *Indian* Affairs.

Ordered, That the Door-keeper do acquaint *J. Galbraith* and *John Harris*, two of the Persons just arrived from *Ohio*, that the House require their Attendance immediately:

And the said Persons giving their Attendance accordingly, were called in; and having answered such Questions as were put to them by the House, withdrew.

Ordered, That the Door-keeper do give Notice to *Michael Teaff* and *Robert Callender*, two other of the Persons lately from *Ohio*, that the House require their Attendance this Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

Michael Teaff and *Robert Callender*, attending according to Order, were called in, and having given Answers to such Questions as were put to them by the House, were directed to withdraw.

Then the House took into Consideration the present State of *Indian* Affairs; and, after some Time spent therein, the same was referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Assembly's Representation to the Proprietaries, in 1751, with the Proprietaries Answer thereto, were again read, and considered; and, after some Time spent therein,

Ordered, That *Evan Morgan*, *John Smith*, *Benjamin Franklin*, *Hugh Roberts*, *Mahlon Kirkbride*, *George Ashbridge*, *Arthur Patterson*, *John Wright*, *John Armstrong*, *Moses Starr* and *James Burnsides*, be a Committee to consider the said Representation and Answer, and report thereon to the House, at their next Sitting.

The Secretary attending, was called in; and addressing himself to the Chair, said,

"SIR,

As the Governor presumes the Assembly, agreeable to the usual Custom, will meet again in the Month of *August*, now near approaching, to finish the Business of the Year, he chuses for that, and some other Reasons, to keep the Paper Money Bill, lately presented him by the House, under Consideration till that Time."

The Secretary then withdrew.

Then the House adjourned to Three o'Clock, *P. M.*

The Sureties of *John Hall*, late Collector of *Bucks* County, giving their Attendance, agreeable to the Order of the House at their last Sitting,

Ordered, That the said Sureties be heard To-morrow Morning; and that the Treasurer have Notice to attend the House at the same Time.

The Message from the Governor relating to *Indian* Affairs, being again read, and considered, together with the Governor's verbal Message of the Sixteenth of *October* last, relating to the Loss of fourteen *Indians*, of the *Twightwee* Nation, killed by the *French*, and their *Indians*:

Resolved, That the Sum of *Two Hundred Pounds* be now allowed as a Present of Condolance to the said *Twightwee* Nation, on that melancholy Occasion.

Resolved, That the Sum of *Six Hundred Pounds* be now also allowed as a Present to the other *Indian* Nations in our Alliance, or such Part thereof as the Governor may think necessary.

Resolved, That the above Sums be made payable to the Governor, by the Trustees of the General Loan-Office, to be laid out by him, and distributed in such Manner as he shall think most suitable to their present Exigencies.

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Ashbridge*, *James Wright*, *John Wright*,

Joseph Armstrong, Moses Starr and *James Burnsides* be a Committee to prepare a Draught of an Answer to the Governor's Message of the Twenty-second Instant, relating to *Indian* Affairs, and report the same to the House Tomorrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed Yesternight to prepare a Draught of an Answer to the Governor's Message on *Indian* Affairs, reported the same to the House; which was read, and considered, Paragraph by Paragraph, and ordered to be transcribed.

Ordered, That the Clerk do make out a Copy of the Resolves of Yesternight, to be sent up to the Governor with the said Message.

The Treasurer, and the Securities of John Hall, gave their Attendance; and were ordered to attend the House again this Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The Message to the Governor being transcribed, was again read, approved, and signed by the Speaker, by Order of the House, and is as follows, *viz.*

May it please the GOVERNOR,

WE have, on all Occasions, acknowledged our grateful Sentiments of the Governor's Regard and Justice towards the *Indians,* our Allies; and we now again return our hearty Thanks for his continued Care, and for communicating the Intelligence he has received concerning their present Distresses. In Pursuance of which, we have resumed the Consideration of the Letters laid before the House, with the Message of the Sixteenth of *October* last, together with the Governor's late Messages and Papers, sent down to us before and since the Return of the Expresses dispatched to *Ohio.* We have also carefully examined the Messenger himself, and such *Indian* Traders, and others, who could give us any Information of the Numbers, and Designs of the Forces, raised by the Governor of *Canada,* and of the Condition of the *Twightwees,* as well as the other *Indians,* our Allies, upon the Waters of *Ohio,* and, upon mature Deliberation, have resolved to contribute generaously to their Assistance, by a Present suitable to their Want of the Necessaries of Life.

Though the Alliance between the Crown of *Great Britain* and the *Six Nations,* and the Protection and Assistance they

expect to receive, in Virtue of that Alliance, is more immediately under the Direction of the Government of *New-York;* and although *Virginia*, at this Time, had entered largely into the Trade, and will, no Doubt, on the present Occasion, assist them and their Allies, yet we have always endeavoured, in Proportion to our Abilities, by Presents, as well as by obliging our *Indian* Traders to behave with Justice towards them, to preserve their Friendship; and on the present Occasion, notwithstanding we have the Misfortune to differ in Sentiments with our Proprietaries, in the Part they ought to bear in these Expences, we have rather considered the Advantages both they and the Province may receive by our Liberality, which we have voted chearfully, and recommended the Distribution to the Care of the Governor, that the *Six Nations*, at *Onondago* (upon any Applications to be made to him in their own Behalf, or for their Allies who reside to the Westward, and are likely to be more immediately affected) may be satisfied, and the Present intended them best answer their Necessities, and our peaceable and friendly Intentions."

The Clerk, according to Order, laid before the House a Copy of the Resolves of Yesternight; which were read, and ordered to be signed by him, that they might be sent to the Governor.

Resolved, That this House will, To-morrow, adjourn to the Twenty-seventh Day of the Month called *August* next.

Resolved, That the Sum of *Five Hundred Pounds* be now allowed to the Honourable JAMES HAMILTON; Esq; Governor of this Province, in Part of his Support for the current Year:

And an Order was drawn on the Treasurer, and signed by the Speaker, by Order of the House, for Payment of the same.

It being moved, that the present Sergeant at Arms had not as yet been commissioned by the Governor to execute the Orders of this House;

Ordered, That a Message be now prepared, and sent to the Governor, requesting that he would direct a Commission to be made out for the said Sergeant; which being accordingly done, was read, and is as follows, *viz.*

May it please the GOVERNOR,

THE Representatives of the Province of *Pennsylvania*, in Assembly met, request the Governor would be pleased to grant a Commission to *Samuel Kirk*, to be Sergeant at Arms, and King's Messenger, at all Times to attend the Service of this House, with Power to execute all Precepts, Warrants and

Messages, whatsoever, which shall be issued by their Order, as had been formerly the Usage within this Province."

And the said Message being signed by the Speaker, by Order of the House;

Ordered, That *Joseph Stretch* and *James Burnsides* wait upon the Governor, and deliver the same, together with the Message in Answer to that from the Governor, on *Indian* Affairs, the Resolves of the House of Yesternight, and the Order on the Treasurer for Part of his Support for the current Year; and further, that they acquaint the Governor, the House inclines to adjourn to the Twenty-seventh Day of the Month called *August* next, if he hath no Objection to that Time.

The Treasurer, and the Securities of *John Hall*, gave their Attendance; but the House not having now Time sufficient to give them a Hearing, they were ordered to attend the House again To-morrow Morning.

Then the House adjourned to 10 o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Messages of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say he thanked the House for the Order on the Treasurer for Part of his Support; that he would take the Messages and Resolves of the House into Consideration, and do therein what he should find necessary; and that he had no Objection to the Time of Adjournment.

The Treasurer, and Securities of *John Hall*, giving their Attendance, were called in; and the said Securities waving the Allegations set forth in their Petition, presented to this House at the last Sitting, desired that the Treasurer might be directed to stop his Prosecution against them, for some Time, as they had Reason to expect that *John Hall* would himself be shortly capable of discharging the Debt due by him to the Province.

And the Treasurer and said Securities being ordered to withdraw, the House took the same into Consideration, and after some Time spent therein,

Resolved, That this House will not any way interfere in the said Prosecution.

The House resuming the Consideration of the Report of the Committee of Grievances;

Ordered, That *William Craig*, Esq., Sheriff of *Northampton* County, do attend this House on the Twenty-seventh Day of the Month called *August* next; and that the Clerk do send the said *Craig* a Copy of this Order.

All the Petitions referred to this Sitting of Assembly were referred over to the Consideration of the House at their next Sitting.

Then the House adjourned to the Twenty-seventh Day of the Month called *August* next.

THE House met pursuant to their Adjournment.

Ordered, That *Edward Warner* and *Joseph Stretch* wait upon the Governor, and acquaint him, that the House have met according to their Adjournment, and are ready to receive any Thing he may have to lay before them.

The Committee of Correspondence laid before the House the following Copy of the King's Order, for confirming twelve Acts of this Province, which they had received from the Agent in *London*, viz.

At the COURT *at* St. James's, *the* 10*th Day of* May, 1753.

PRESENT.

L. S.

The KING'S most Excellent Majesty,

Lord President,
Lord Chamberlain,
Duke of *Dorset*,
Earl of *Cholmondely*,
Earl of *Halifax*,
Earl *Fitz Walter*,
Earl of *Buckinghamshire*,
Lord *Delawarr*,
Lord *Berkley* of Stratton,
Lord *Bathurst*,
Lord *Anson*,
Mr. Comptroller,
Mr. Vice Chamberlain,
Horatio Walpole, Esq.,
Sir *John Rushout*,
George Dottington, Esq.,
Sir *John Legonier*,
Henry Legge, Esq.,
Sir *Thomas Robinson*,
Sir *George Lee*.

WHEREAS, in Pursuance of the Powers granted to the Proprietaries of the Province of *Pennsylvania* by Letters Patent, under the Great Seal, the Deputy Governor, Council and Assembly, of the said Province, did, in the Years 1750, 1751 and 1752, pass twelve Acts, which have been transmitted, and are entituled as follows, *viz.*

1. *An* ACT *for explaining and ascertaining the Boundary Line between the Counties of* York *and* Cumberland, *in the Province* of Pennsylvania; passed the 9th of *February*, 1750.

2. *An* ACT *for the more effectual preventing Accidents which may happen by Fire, and for suppressing Idleness, Drunkenness and Debauchery;* passed the 9th of *February*, 1750.

3. *An* A C T *for the better regulating the nightly Watch within the City of* Philadelphia, *and for enlightening the Streets, Lanes and Alleys of the said City, and for raising of Money on the Inhabitants of the said City for defraying the necessary Expenses thereof;* passed the 9th of *February*, 1750.

4. *An* A C T *to encourage the establishing of an Hospital, for the Relief of the Sick Poor of this Province, and for the Reception and Cure of Lunatics;* passed the 11th of *May*, 1751.

5. *An* A C T *for erecting Part of the Counties of* Philadelphia, Chester *and* Lancaster *into a separate County;* passed the 11th of *March*, 1752.

6. *An* A C T *for erecting the* North-west *Part of* Bucks *into a separate County;* passed the 11th of *March*, 1752.

7. *An* A C T *to regulate the Assize of Bread;* passed the 11th of *March*, 1752.

8. *An* A C T *to prevent Disputes about the Dates of Conveyances, and other Instrument and Writings;* passed the 11th of *March*, 1752.

9. *An* A C T *for directing the Choice of Inspectors in the* Counties *of* Chester, Lancaster, York, Cumberland, Berks *and* Northampton; passed the 11th of *March*, 1752.

10. *An* A C T *for preventing Bribery and Corruption in the Election of Sheriffs and Coroners, within this Province;* passed the 11th of *March*, 1752.

11. *An* A C T *for regulating and establishing Fees;* passed the 22d of *August*, 1752.

12. *An* A C T *for regulating Attachments not exceeding* Five Pounds; passed the 22d of *August*, 1752.

His Majesty this Day took the said Acts into Consideration; and having received the Opinion of the said Lords Commissioners for Trade and Plantations, and also of a Committee of the Lords of his Majesty's most honourable Privy Council, thereupon, is hereby pleased to declare his Approbation of the said Acts: And pursuant to his Majesty's Royal Pleasure thereupon expressed, the said Acts are hereby confirmed, finally enacted, and ratified accordingly: Whereof the Deputy Governor, Council and Assembly of the said Province, and all others whom it may concern, are to take Notice, and govern themselves accordingly.

W. SHARPE."

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor, report that they had delivered their Message according to Order; and

that the Governor was pleased to say, he should send a Message to the House some Time To-morrow.

Sundry Letters from the Agent in *London* were laid before the House by the Committee of Correspondence, and read, and *Ordered to lie on the Table.*

A Petition from divers Inhabitants of the City of *Philadelphia* was presented to the House and read, setting forth, that there is yearly a considerable Quantity of Silver and Gold wrought in this Province, not only for the Inhabitants, but also for several of the neighboring Provinces, and *West-India* Islands, which latter would probably encrease, and give more general Satisfaction, were proper Regulations made as to the Fineness of the Silver and Gold to be wrought; the Petitioners therefore pray that this House would take the Premises into Consideration, and ascertain the Fineness of all Silver and Gold which shall hereafter be wrought in this Province, agreeable to the Laws and Customs of *Great-Britain;* and to appoint a proper Person to *assay* and *stamp* all such Manufactures, made agreeable to the said Regulation, as will admit of it; to allow such Officer a reasonable Reward for his Service, and give him such Powers, and lay him under such Injunctions as shall seem most meet. *Ordered to lie on the Table.*

A Petition from sundry Inhabitants of the County of *Cumberland* was presented to the House and read, praying, that some Person, resident in said County, may be appointed a Trustee in the General Loan-Office, as they apprehend it would not only prevent the said Office from being imposed on by insufficient Securities from that Part of the Province, but also the Inhabitants from having their Pledges undervalued, as they sometimes are. *Ordered to lie on the Table.*

An Account from *Ezechiel Dunning*, Sheriff of the County of *Cumberland*, for secureing and conveying one *Daniel Burdley* to *Philadelphia* Goal, by Order of the Chief Justice amounting to *Twenty-four Pounds Three Shillings*, was laid before the House and read. And

An Account from *Hermanus Alrichs*, Esq., for *Five Pounds* paid by him to *John Harris*, for taking up the said *Daniel Hurdley*, when he broke Goal. *Ordered to lie on the Table.*

The House being informed that *William Craig*, Esq., Sheriff of *Northampton* County, in Pursuance of the Order of the House at their last Sitting, was now attending, he was called in; whereupon he delivered at the Table, a Representation from a considerable Number of the Inhabitants of said County, con-

tradicting the several Facts alleged against the said *Craig*, in a Petition presented to the House on the Twenty-third of the Month called *January* last.

The said *Craig* also produced to the House a Certificate from the two Commissioners and three Assessors of the said County, certifying, that they had on the Twelfth Day of *December* last past duly elected him, the said *Craig*, Treasurer thereof, without his making any previous Application to them, or using any Craft or Artifice to obtain the said Office; and then being ordered to attend this House again in the Afternoon, he withdrew.

It being observed, that the above Representation from *Northampton*, accuses one *John Jones*, of said County, that he out of private Resentment and Malice, by false Insinuations and Misrepresentations prevailed upon many of the Inhabitants to sign the Petition that was presented to the House against said *Craig;* And the House being informed that the said *Jones* was now in Town,

Ordered, That the Clerk do make out a Copy of the said Representation, and deliver it to the said *John Jones;* and acquaint him that the House require his Attendance this Afternoon.

Samuel Kirk, Sergeant at Arms, acquainted the House that the Governor had given him a Commission, agreeable to the Request of the House at their last Sitting; which he produced at the Table, and then withdrew.

And the said Commission being read,

Ordered, That the Clerk do take a Copy thereof, and deposite it among other the Papers belonging to this House.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That *Edward Warner*, *Evan Morgan*, *Hugh Roberts*, *Richard Walker*, *Thomas Cummings*, *Calvin Cooper*, *David M'Connaughy*, *John Armstrong*, *Moses Starr* and *James Burnsides* be a Committee to inspect and settle the Accounts of the Incidental Charges of the current Year.

Ordered, That the Accounts of *Ezechiel Dunning* and *Hermanus Alrichs* be referred to the said Committee.

John Jones, giving his Attendance according to Order, was called in: And he, desiring further Time to answer the Allegations against him, contained in the Representation from *Northampton County;* the House assented thereto, and allowed him till To-morrow Morning for that Purpose. And

Ordered, That *William Craig* do likewise attend the House at that Time.

The Petition of *James Read*, Esq., late Clerk of the Crown, was read, and considered, and referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

A Petition from sundry Inhabitants of *York* County, praying that a Trustee of the General Loan-Office may be appointed for the said County, was presented to the House, and read, and

Ordered to lie on the Table.

The Petitions from *Northampton* County against *William Craig*, Esq., Sheriff of said County, and the Report of the Committee of Grievances thereupon, were read, together with the several Letters and Papers mentioned in said Report.

John Jones gave his Attendance according to Order, and being called in, presented a Petition to the House, in Answer to that Part of the Representation from *Northampton* County which relates to him, wherein he gives sundry reasons which he apprehends are sufficient to prove that he had no private Resentment or Malice against the Sheriff of said County; and that it was not by false Insinuations and Misrepresentations that he prevailed upon sundry Persons in said County to sign the Petitions that were presented to this House against him.

And the said *Jones* being then directed to withdraw.

William Craig, who likewise gave his Attendance, was called in, and the said Petition read to him; and he desiring a Copy thereof, the Clerk was ordered to give him one accordingly; and then the House ordered that he, the said *Craig*, should attend again this Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by his Secretary, sent down the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, with a written Message, and a Paper containing some proposed Amendments to the said Bill.

The said Message being read, is as follows, *viz.*

GENTLEMEN,

"IN Answer to your Message of the Twenty-fifth of *May* last, I now send you down the Bill, entituled, *An Act for striking the Sum of* Twenty Thousand Pounds, *to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province*, with some few Amendments, to which I pressume you can have no Objection.

"I cannot, however, but acquaint you, that in giving my Assent to this Bill, I have acted rather in Compliance to your repeated Applications, than that, in my own Judgment,

I could think an Addition to our Currency at this Time absolutely necessary; I am in Hopes nevertheless, that as the Sum be emitted is not exhorbitant, it may be attended with no bad Consequences to the Province.

August 29, 1753. JAMES HAMILTON."

The Secretary also delivered at the Table a Message from the Governor on *Indian* Affairs, which was read, and is as follows, *viz.*

GENTLEMEN,

'SINCE your Recess I have waited in almost daily Expectation of receiving such circumstantial Accounts of *Indian* Affairs, either by immediate Application from themselves, or by Information of the most intelligent among the Traders, as that, in disposing of the Money voted for *Indian* Services, I might best consult the Interest of the Province, and fulfill the Intention of the Trust reposed in me.

'I am now to acquaint you, that no Application hath been yet made to me for any Purpose whatever, either by the *Indians* at *Onondago*, or those at *Ohio;* nor have I received such well grounded Advices of their Wants or Distresses of any Kind, as to induce me to make Use of the Credit you invested me with at your last Sessions. But that I may be perfectly satisfied of the Minds of the *Six Nations*, and of the true Situation of their Affairs, I dispatched Mr. *Weiser* the latter End of the last Month to the *Onondago* Country, for Intelligence upon all such Points as may be necessary for me to know, intending to take my Measures from the Advices he shall bring from thence.

'The Sum appropriated for a Present of Condolence to the *Twightwees* should have been long since laid out in Goods, suitable to the Occasion, and sent them; but it having been represented, by all who came from the Westward, that the *French* were on their March to *Ohio*, and had dispatched before them several Parties of their *Indians*, I thought the sending them under these Circumstances would be attended with too great a Risk of their falling into the Enemies Hands, together with the Persons employed in transporting them through so large an Extend of Country; being well assured, that, unless the Present be delivered to them in one of their own Towns, it will be liable to great Embezzlement, as well as fall short of its intended Effect, When these Difficulties are removed, the Present shall be forthwith transmitted to them.

August 29, 1753. JAMES HAMILTON."

The House took into Consideration the Amendments proposed by the Governor to the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for reemitted and continuing the Currency of the Bills of Credit of this Province; and, after some Time spent therein, the further Consideration thereof was referred to To-morrow Morning.

William Craig and *John Jones* are ordered to attend the House To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The House resumed the Consideration of the Governor's proposed Amendments to the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for reemitting and continuing the Currency of the Bills of Credit of this Province; and, after a considerable Time spent therein, the same was referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The House again resumed the Consideration of the Governor's proposed Amendments to the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, and some of them were agreed to by the House, and in others the House unanimously adhered to the Bill.

Ordered, That *Edward Warner* and *Joshua Morris* wait upon the Governor with the said Bill, and acquaint him, that the House have agreed to some of the Amendments proposed by him, and in others adhere to the Bill; and desire that he will be pleased to pass the same as it now stands.

John Jones and *William Craig* attending, were called in; and the said *Craig* having, by Permission of the House spoke to several Particulars contained in *Jones's* Petition, in order to invalidate the same; and both Parties having offered what they had to say, and answered such Interrogatories as were put to them by this House, they were ordered to withdraw, and to attend the House again To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would return an Answer some Time this Day.

The House proceeded to the Consideration of the Affair of *William Craig;* and, after some Time spent therein,

Ordered, That the said *William Craig* be severely reprimanded from the Chair, for the Contempt shewn to the Order of the Committee of Grievances, in not attending at the Time they appointed him, nor sending any Reason to excuse his Absence.

And the said *Craig* being called in, did accordingly received a severe Reprimand from the Speaker in the Chair; and acknowledging his Fault, and promising to behave in such a Manner as to give no Cause of Complaint for the future, he was dismissed.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by his Secretary, returned the Bill for striking *Twenty Thousand Pounds,* to be made current, and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, with a Paper of Amendments, together with a Copy of an additional Instruction from their Excellencies the Lords of the Regency of *Great-Britain,* sent over in the Year 1740, which were read, and considered; and after some Time spent therein, referred to further Consideration.

The said additional Instruction is as follows, *viz.*

By the LORDS JUSTICES.

L. S.

JOHN *Cant.* WILMINGTON, P. HERVEY, C. P. S.
DORSET, GRAFTON, RICHMOND.
LENNOX AND AUBIGNY, BOLTON,

Addition INSTRUCTION to GEORGE THOMAS, *Esq; Deputy Governor of his Majesty's Province of* Pennsylvania *in* America, *or to the Commander in Chief of his Majesty's said Province for the Time being. Given at* WHITEHALL, *the* 21*st of* August, 1740, *in the Fourteenth Year of his Majesty's Reign.*

WHEREAS an Act of Parliament was passed in the Sixth Year of her late Majesty Queen ANNE, entitled, *An Act for ascertaining the Rates of foreign Coins in her Majesty's Plantations, in* America: And whereas Complaints have been made, that the said Act has not been observed, as it ought to have been, in many of his Majesty's Colonies and Plantations in *America,* by Means whereof many indirect Practices have

grown up, and various and illegal Currencies have been introduced in several of the said Colonies and Plantations, contrary to the true Intend and Meaning of the said Act, and to the Prejudice of the Trade of his Majesty's Subjects; in Consequence of which Complaints, an humble Address was presented the last Session by the House of Commons to his Majesty, "That he would be graciously pleased to require and command the respective Governors of his Colonies and Plantations in *America*, effectually to observe the said Act of the Sixth of Queen ANNE:" It is therefore his Majesty's Royal Will and Pleasure, and you are hereby strictly requïred and commanded to take the most effectual Care for the future, that the said Act be punctually, and *bona Fide*, observed and put in Execution, according to the true Intend and Meaning thereof. And to the End that his Majesty's Commands herein may be fully made known to all his Subjects within your Government, and that none of them may pretend Ignorance thereof, you are hereby further required, and commanded, to publish this Instruction in such Manner, as may best answer his Majesty's gracious Intentions herein signified.

And whereas many and great Inconveniencies have arisen in some of his Majesty's Colonies and Plantations in *America*, by passing Laws for striking Bills of Credit, and issuing out the same in Lieu of Money, making it obligatory on all Persons to take such Bills in Payment of Debts, Dues and Demands, whereby the good Intention of the afore-mentioned Act of the Sixth of her late Majesty Queen ANNE, "For ascertaining the Rates of foreign Coins in her Majesty's Plantations in *America*," has been frustrated, and a great Discouragement has been brought on the Commerce of this Kingdom, by occasioning a Confussion in Dealings and a Lessening of Credit in those Parts: And whereas an humble Address was presented the last Session by the House of Commons to his Majesty, to the Effect following, *viz.* "That he would be graciously pleased to require and command the respective Governors of his Colonies and Plantations in *America* not to give Assent to, or pass, any Act, whereby Bills of Credit may be struck, or issued, in Lieu of Money, without a Clause be inserted in such Act, declaring, that the same shall not take Effect until the said Act shall be approved by his Majesty."

It is therefore his Majesty's Will and Pleasure, and you are hereby required, upon Pain of his Majesty's highest Displeasure, not to give your Assent to, or pass, any Act, whereby Bills of Credit may be issued, in Lieu of Money, without a Clause be

inserted in such Act, declaring that the same shall not take Effect until the said Act shall be approved by his Majesty, his Heirs, or Successors.

J. C. W. P. H. C. P. S. D. B."

Ordered, That the Clerk do go to the Secretary, and acquaint him, that the Hosue require a Copy of the King in Council's Approbation of the Act, entitled, *An Act for reprinting, exchanging and re-emitting all the Bills of Credit of this Province, and for striking the further Sum of* Eleven Thousand One Hundred *and* Ten Pounds Five Shillings, *to be emitted upon Loan.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Clerk, according to Order, brought to the House a Copy of the King in Council's Approbation of the Act, entitled, *An Act for reprinting, exchanging and re-emitting all the Bills of Credit of this Province, and for striking the further Sum of* Eleven Thousand One Hundred *and* Ten Pounds Five Shillings, *to be emitted upon Loan*, with four other Acts therein mentioned, passed in *May* 1739, which had been delivered him by the Secretary.

And the same being read, is as follows, *viz.*

At the COURT *at* St. JAMES's *the 12th Day of May*, 1740.

PRESENT.

L. S.

The KING's most excellent Majesty,

Archbishop of *Canterbury*,
Lord Chancellor,
Lord President,
Lord Privy Seal,
Lord Steward,
Lord Chamberlain,
Duke of *Richmond*,
Duke of *Bolton*,
Duke of *Devonshire*,
Duke of *Ruthland*,
Duke of *Montague*,
Duke of *New-Castle*,
Earl of *Pembroke*,
Earl of *Grantham*,
Earl of *Cholmondeley*,
Lord *Sidney Beauclerk*,
Viscount *Lonsdale*,
Viscount *Torrington*,
Lord *Harrington*,
Lord *Cornwallis*,
Lord *Mason*,
Mr. Speaker,
Mr. Chancellor of the Exchequer,
Lord Chief Justice *Willes*,
Sir *Charles Wills*,
Henry Pelham, Esq;
Horatio Walpole, Esq;
Stephen Poyntz, Esq;
Sir *William Younge*,
Sir *John Norris*.

WHEREAS, in Pursuance of the Powers granted to the Proprietaries of the Province of *Pennsylvania*, by Letters Patent, under the Great Seal, the Deputy Governor, Council and Assembly of the said Province, did in *May* 1739, pass five Acts, which have been transmitted, and are entitled as follows, *viz.*

An Act for the more easy and speedy Recovery of small Debts.

A Supplement to the Act for electing Members of Assembly, &c.

An Act for the more effectual preserving the Credit of our Paper-Money, and recovering the Proprietary Quit-rents.

An Act for reprinting, exchanging and re-emitting all the Bills of Credit of this Province, and for striking the further Sum of Eleven Thousand One Hundred *and* Ten Pounds Five Shillings, *to be emitted upon Loan.*

An Act for the better enabling divers Inhabitants of the Province of Pennsylvania *to trade and hold lands within the said Province.*

His Majesty this Day took the said Acts into his Royal Consideration, and having received the Opinion of the Lords Commissioners for Trade and Plantations, and also of a Committee of the Lords of his Majesty's most honourable Privy Council thereupon, is hereby pleased to declare his Approbation of the said Acts: And pursuant to his Majesty's Royal Pleasure thereupon expressed, the said Acts are hereby confirmed, finally enacted, and ratified accordingly: Whereof the Deputy Governor, Council and Assembly of the said Province, and all others whom it may concern, are to take Notice, and govern themselves accordingly.

WILLIAM SHARPE."

The Paper of proposed Amendments, sent down Yesternight by the Governor, with the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for remitting and continuing the Currency of the Bills of Credit of this Province, being again read, and considered;

Ordered, That *Evan Morgan, Benjamin Franklin, Hugh Roberts, Mahlon Kirkbride, George Ashbridge, Peter Worral, David M'Connaughy, Joseph Armstrong, Moses Starr* and *James Burnsides* be a Committee to consider the additional Clause proposed in said Amendments, and examine the Charters of this Province relating thereto, and report thereon to the House.

The Message from the Governor of the Twenty-ninth of *August* last, on *Indian* Affairs, was again read, and considered, and referred to further Consideration.

Then the House adjourned to next *Second-day*, at Three o'Clock, *P. M.*

The House met, according to their adjournment.

The Committee appointed to consider the Clause proposed by the Governor to be added to the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, made their Report in Writing, which was read, and is as follows, *viz.*

W E have considered the additional Clause proposed by the Governor to be added to the Bill, entitled, *An Act for striking the Sum of* Twenty Thousand Pounds, *to be made current and emitted on Loan, and for re-emitting and continuing the Currency Bills of Credit of this Province;* and have also examined the Clause with the additional Instruction from the Lords of Justices to Colonel *Thomas*, our late Governor; on which the Governor has been pleased to ground his Reasons for not passing that Bill as it now stands; as likewise the Royal and Provincial Charters, so far as concerns the Amendment under your immediate Consideration. And in Obedience to the Order of the House we do report,

That we find the Clause to be added to the Bill is as follows, *viz.* "Provided always, and it is hereby further enacted by the Authority aforesaid, that this Act, or any Thing therein contained, shall not take Effect, or be deemed, or construed or taken, to have any Force or Effect, until the same shall have received the Royal Approbation of his Majesty, his Heirs, or Successors."

Then, upon considering this Clause, the House unanimously agreed to return the Bill with the following Objections, *viz.* "That the House cannot agree to this Amendment, because we apprehend the Clause destructive of the Liberties derived to us by the Royal and Provincial Charters, as well as injurious to the Proprietaries Rights, and without any Precedent in the Laws of this Province."

That the Governor has been pleased again to send down the Bill, with his Reasons for adhering to the Amendment in these Words, "The Clause proposed to be added to the Bill to which the House objects, is founded on an Instruction from their Excellencies the Lords of the Regency of *Great-Britain*, in Pur-

suance of an Address to his Majesty from the Honorable House of Commons, in the Year 1740, which Instruction has been long known in this Province, having been communicated to a former Assembly by the late Governor, in the Month of *January* of that Year, and is now again sent down for the Perusal of the House. — Hence they will see the Reason for my having added the forementioned Clause, from which I cannot allow myself the Liberty of receding." Upon which State of the Question on now before the House, your Committee beg Leave to remark,

1. That the Instruction referred to by the Governor, is by the Lords Justices, and expressly, declared to be an "additional instruction to *G. Thomas* Esq; Deputy-Governor of his Majesty's Province of *Pennsylvania;*" dated at *White-Hall, August* 21, 1740.

2. That it was in Pursuance of an Address of the House of Commons to his Majesty, on the 25th of *April* the same Year.

3. That by a Letter from the Board of Trade to our late Governor, dated *May* 20, 1740, mentioned to be in Pursuance of the same Address of the House of Commons, the then Governor was directed immediately to prepare, and as soon as possible to transmit (to that Board) in order to be laid before the House of Commons at their next Meeting, an Account of the Tenor and Amount of the Bills of Credit which had been created and issued (in this Province) that were then outstanding; with the Amount of such Bills in Money of *Great-Britain.* And likewise to send his Opinion, what would be the most easy and effectual Manner of sinking and discharging all such Bills of Credit, with the least Prejudice to the Inhabitants (of this Province) and Interruption to the Commerce of *Great-Britain.*

4. That, in Pursuance of the said Order, the Assembly on the 8th of *January* 1740 furnished the Governor with the State of our Paper Currency, to be transmitted to the Lords for Trade and Plantations, although he had received from the Representatives of the preceding Year a full and impartial Account of all the Bills of Credit then current; and an Account of the Rates of Gold and Silver, from the Year 1700 to that Time, stated and transmitted in Compliance with the Directions of the Board of Trade, dated *July* 5, 1739, founded upon two Addresses from the House of Lords, and two Addresses from the House of Commons, of the 13th of *June* preceding, as appears by the Minutes of this House. And again upon the Duke of *Bedford's* Letter to our present Governor, in Pursuance of an Address from the House of Commons to the King, upon

the 30th of *May* 1740, the Assembly drew up, with great Care and Exactness, a third State of our Bills of Credit, the Times appointed by Law for paying in and sinking the same, and the Value of the whole Sum in Sterling Money of *Great-Britain*, which they presented to the Governor on the 18th of *October* 1749, with a Message, recommending it to his Care to be transmitted pursuant to the Directions he had received.

5. That your Committee are well assured these several States of our Paper Currency, and the last particularly, have been transmitted, and carefully examined by the House of Commons on the 15th of *March* 1750, and from thence repeatedly to the End of that Sessions of Parliament, as is evident from the Votes of the House of Commons, where it appears, on that Day, "That Mr. Comptroller presented to the House, pursuant to their Address to his Majesty of the 30th of *May* 1749, the State of *New-Jersey* Currency, the State of *Rhode-Island* Currency, the State of *North-Carolina* Currency, the State of *South-Carolina* Currency, the State of *Pennsylvania* Currency, the State of the Currency of the Counties of *New-Castle*, *Kent* and *Suffex*, the State of *New-Hampshire* Currency, the State of *Massachusetts-Bay* Currency, and the State of *New-York* Currency;" all which said States were ordered to lie upon the Table, to be perused by the Members of the House: The Result of which Examination terminated in a Bill, entituled, *An Act to restrain Paper Bills of Credit in his Majesty's Colonies, or Plantations of* Rhode-Island *and* Province *Plantations*, Connecticutt, the Massachusetts Bay *and* New-Hampshire, which passed the House of Commons on the 10th, was agreed to by the House of Lords on the 18th, and received the Royal Assent on the 25th of *June* 1751; by Means whereof, the other Colonies, notwithstanding the ill Impressions the Conduct of some of them had made upon the Members of that honourable House, were left in the full Possession of their respective Rights, in regard to a Paper Currency, and continue so to this Day.

6. That the Governor, long since the Date of that Instruction, has received a Commission from our Proprietaries, with the Approbation of the Crown; and we hope he is at full Liberty to pass all our Laws upon the Terms granted us by the Royal and Provincial Charters, without thinking himself at all concerned in an additional Instruction, expressly directed to a former Governor, the Substance of which has,

many Years since, been printed with our Minutes; and which, as it was temporary, and the State of our Bills of Credit, to which it referred, has, since that Time, been so carefully examined, in a *British* Parliament, so much to our Advantage, we hope and presume, has answered all the Purposes intended, without us under the disagreeable Necessity of examining the Validity of that Instruction; and this we have the greater Reason to expect, when we consider, that, upon the several Applications made to our Governor for an Addition to our Paper Currency, he has been pleased repeatedly to make Objections of different Kinds, and particularly when the Bill for restraining his Majesty's Colonies in *America* from issuing Paper Bills of Credit, was brought into Parliament, he was of Opinion it would be highly imprudent to pass a Law for encreasing the Quantity of our Currency, "until such Time as we were better acquainted of the Sentiments of our Superiors upon a Subject they had under their Consideration," but 'till now has never made the least Mention of inserting such a Clause.

7. That, upon examining the Royal and Provincial Charters, we find, that, among other great Privileges, King CHARLES II, granted to our late worthy Proprietary, "and his Heirs, to his and their Deputies and Lieutenants, for the good and happy Government of the said Country, to ordain, make and enact, and under his and their Seals to publish, any Laws whatsoever, for the raising of Money for public Uses of the said Province, or for any other End appertaining either unto the Public State, Peace, and Safety of the said Country, or unto the private Utility of particular Persons, according to their best Discretion, by and with the Advice, Assent and Approbation of the Freemen of the said Country, or the greater Part of them, or their Delegates or Deputies, whom, for the enacting of the said Laws, when, and as often as Need shall require, we will that the said WILLIAM PENN, and his Heirs, shall assembly in such Sort and Form as to him and them shall seem best, and the same Laws duly to execute unto and upon all People within the said Country and Limits thereof; which Laws, so as aforesaid to be published, our Pleasure is, and so we enjoin, require and command shall be most absolute and available in Law; and that all the Liege People and Subjects of us, our Heirs and Successors, do observe and keep the same inviolably in those Parts, so far as they concern them, under the Pain therein expressed, or to be expressed; provided nevertheless, that

the same Laws be consonant to Reason, and not repugnant, on contrary, but, as near as conveniently may be, agreeable to the Laws and Statutes, and Rights of this our Kingdom of *England*, And to the End that the said WILLIAM PENN, or his Heirs, or other the Planters, Owners or Inhabitants of the said Province, may not, at any Time hereafter, by Misconstruction of the Power aforesaid, through Inadvertency or Design, depart from that Faith and due Allegiance, which, by the Laws of this our Realm of England, they and all our Subjects in our Dominions and Territories, always owe to us, our Heirs and Successors, by Colour of any Extend or Largeness of Powers hereby given, or pretended to be given, or by Force or Colour of any Laws hereafter to be made in the said Province, by Virtue of any such Powers: Our further Will and Pleasure is, that a Transcript or Duplicate of all Laws which shall be, so as aforesaid, made and published within the said Province, shall, within five Years after the Making thereof, be transmitted and delivered to the Privy Council for the Time being, of us, our Heirs and Successors; and if any of the said Laws, within the space of six Months after that they shall be so transmitted and delivered, be declared by us, our Heirs and Successors, in our or their Privy Council, inconsistent with the Sovereignty or lawful Prerogative of us, our Heirs or Successors, or contrary to the Faith and Allegiance due to the legal Government of this Realm from the said WILLIAM PENN, or his Heirs, or of the Planters and Inhabitants of the said Province; and that thereupon any of the said Laws shall be adjudged and declared to be void by us, our Heirs and Successors, under our or their Privy Seal, that then, and from thenceforth, such Laws concerning which such Judgment and Declaration shall be made, shall become void; otherwise the said Laws so transmitted, shall remain and stand in full Force, according to the true Intent and Meaning thereof." Under this Royal Grant, and our Provincial Charter, by which the Proprietary confirms them to the Freemen of this Province, we claim our Privileges. How far the Clause proposed to be added to the Bill is destructive of those Privileges, we leave to the House to determine; and how far the Proprietaries may apprehend it injurious to their Rights, we presume will appear by the Minutes of this House, whilst the Bill above-mentioned, for restraining Bills of Credit in the Plantations, was depending. That Bill, or one of the same Tenor nearly, was first framed in the Year 1744, again

re-assumed in 1748, and at length rejected by the Justice of a *British* Parliament; but as it was brought into the House, and for some Time supported by several Members of great Weight and Influence, the Fears of that Bill became very alarming, and this the Governor himself seems to have been very sensible of, in his Message of the 16th of *October* 1749, in which he is pleased to say, "I take it for granted, we are all sensible of the mischievous Tendency of the Bill that was brought into Parliament the last Year, to regulate and restrain Paper Bills of Credit in the Plantations *(in which there was a Clause to enforce the Orders of the Crown in his* American *Dominions)* and it is not improbable something of the same Kind may be offered in the ensuring Sessions; that I persuade myself you will think it convenient to give your Agent full Instructions upon this Subject, in case it should become necessary for him to oppose it; the Honourable Proprietaries at that Time laboured indefatigably, and with Success, to avert the Mischiefs that threatened this Province from the Passing of the said Bill; and I have it in Command from them to assure you of their Assistance upon all future Occasions, wherein the Welfare and Happiness of the People of this Province may be concerned."

Having thus considered the Clause, as founded upon an additional Instruction from the Lords Justices to Governor *Thomas*, near thirteen Years ago, and long before the Settling the States of the Bills of Credit in the *American* Plantations; and also laid before the House so much of the Royal Charter as immediately concerns the proposed Amendment: Your Committee beg Leave to add, that we have likewise examined the Laws of this Province, a considerable Number of which were enacted by Governor *Fletcher*, under the immediate Powers of the Crown, and are well assured, that there has never been one single Instance of the passing of any Law under the Restrictions now contended for by the Governor, from the first Settlement of this Province to the present Time. All which is submitted to the Consideration of the House by

EVAN MORGAN,
B. FRANKLIN,
HUGH ROBERTS,
MAHLON KIRKBRIDE,
GEORGE ASHBRIDGE,
PETER WORRAL,
DAVID M'CONAUGHY,
JOSEPH ARMSTRONG,
MOSES STARR,
JAMES BURNSIDES."

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Report of the Committee appointed to consider the Clause proposed by the Governor to be added to the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, was again read; and, after a considerable Time spent in Consideration thereof, was unanimously approved and agreed to by the House.

And the said Clause being also read,

Resolved, That such a Clause would be destructive of the Liberties derived to the People of this Province by the Royal and Provincial Charters, as well as injurious to the Proprietaries Rights, and is without any Precedent in the Laws of this Province.

The Governor's Message of the Twenty-ninth of last Month, sent down with the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, being also read;

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Hugh Roberts*, *Mahlon Kirkbride*, and *George Ashbridge* be a Committee to prepare a Draught of a Message in Answer thereto, and report the same to the House this Afternoon.

Ordered, That the Clerk do go to the Secretary, and acquaint him, that the House require a Copy of the King's Approbation of the Act, intituled, *An Act for granting* Five Thousand Pounds *to the King's Use, out of the Bills of Credit now remaining in the Hands of the Trustees of the General Loan-Office, for exchanging torn and ragged Bills, and for striking the like Sum to replace in their Hands*, if any such there-be,

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, report, that they had made some Progress therein, but not having compleated the same, desired farther Time for that Purpose;

To which the House agreed,

The Clerk acquainted the House, that the Secretary informed him, that he had no Copy of the King's Approbation of the Act intituled, *An Act for granting* Five Thousand Pounds *to the King's Use, out of the Bills of Credit now remaining in the Hands of the Trustees of the General Loan-*

Office, for exchanging torn and ragged Bills, and for striking the like Sum to replace in their Hands; and that he believed the said Act had never been transmitted.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, sent down to the House *Conrad Weiser's* Journal of his Journey to *Albany* and the *Mohocks* Country, together with sundry other Papers relating to *Indian* Affairs, which were read, and

Ordered to lie on the Table.

The Secretary likewise acquainted the House, that the Governor had directed *Conrad Weiser* to attend the House, in case they should have any Questions to ask him.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, which was read, Paragraph by Paragraph, approved of and ordered to be transcribed.

Then the House adjourned to Three o'Clock, *P. M.*

The Message to the Governor being transcribed, was again read, and follows in these Words, *viz.*

May it please the GOVERNOR,

UPON receiving a Message from the Governor of the Twenty-ninth of *August* last, with some few Amendments to the Bill for striking *Twenty Thousand Pounds*, to be added to the present Currency of this Province, which the Governor is pleased to acknowledge is not an exorbitant Sum, and to which Amendments he presumed we could have no Objection, we were in Hopes that the repeated Applications of this, and our preceding Assemblies, had induced him at length to give his Assent to the Bill upon such Terms as the House might comply with, consistent with their Honour, and the Trust reposed in them by their Constituents: But we are under the Necessity of assuring the Governor, the Clause proposed to be added to that Bill is so far from being free from Objections, that we apprehend it to be destructive of the Liberties granted to the People of this Province by the Royal and Provincial Charters, and injurious to the Proprietaries Rights; and as such we have unanimously resolved it upon the Report of a Committee of this House; to whose Care we had also recommended the Examination of our Laws, a considerable Number of which were enacted under the immediate Powers of the Crown; and we are well assured, there has

never been one single Instance of the passing of any Law under the Restrictions now contended for by the Governor from the first Settlement of our Province to this Day. This has led us into an Enquiry, why so dangerous an Experiment should be now pressed upon us, as we conceive, without the least apparent Necessity.

The Governor, it is true, has been pleased to inform us, that it is founded upon an Instruction from the Lords Justices to the late Governor; but we intreat he would consider, how far an additional Instruction, dated in 1740, expressly directed to a former Governor, and which in its own Nature appears temporary, and the Ends long since answered, can be binding upon him.

That though it was directed to a Governor of this Province, it neither did, nor could suit our Circumstances either at that Time, or any other Time before or since; that it was temporary, and that the Ends proposed by that Instruction have been answered, appear very clear to us when we consider, that the effectual putting in Execution the Act of the Sixth of Queen ANNE, for ascertaining the Rates of foreign Coins in *America*, the various and illegal Currencies introduced in several of the Colonies, the miserable Defection from that Act, as well as the respective Acts by which such Currencies were originally issued, the Discouragement it brought on the Commerce of *Great-Britain*, the Confusion in Dealings, and the Lessening of Credit in those Parts, are the Foundations Both of the Address of the House of Commons to the King, and in Pursuance of that Address, of the additional instruction, to which the Governor is pleased to refer.

That this could never suit our Province at any Period since the Emission of our Bills of Credit, must be very apparent to the Governor himself, and is most clearly demonstrable from the Dates of the Address of the House of Commons, and additional Instruction, with the Report of the Board of Trade, and Royal Assent to the Act from emitting the largest Sum of Bills of Credit that had ever been current amongst us.

The Address of the House of Commons we find to be on the 25th of *April*, 1740, the additional Instruction on the 21st of *August* following, founded upon that Address; and about the same Time, *to wit*, on the 16th Day of *April*, 1740, the Lords of Trade upon the Act *for the more effectual preserving the Credit of our Paper Money*, &c. and the Act *for re-printing, exchanging and re-emitting all the Bills of Credit*,

and for striking the further Sum of Eleven Thousand One Hundred *and* Ten Pounds Five Shillings, *&c.* report, "that as these Acts relate to Paper Money, they took the Sense of the Merchants trading to that Province upon them, who were of Opinion, that they were not only reasonable, but likewise necessary for carrying on the Commerce of that Country;" and in Pursuance of that Report, on the 12th Day of *May*, 1740, the King was graciously pleased to confirm those Acts in a full Council.

If then the Governor will be pleased to compare the Dates of the Report of the Board of Trade with the Address of the House of Commons, the Confirmation of our Paper Money Acts, and the Lords Justices Instruction, we make no Doubt he must be sensible, that Bills of Credit, emitted in Virtue of Laws reported to be not only reasonable, but the Sum itself so emitted necessary for carrying on the Commerce of the Country, cannot possibly agree with Bills of Credit illegally issued, by Means whereof the Trade of *Great-Britain* is discouraged, Confusion in Dealings introduced, and all Credit lessened; and in Consequence the Instruction, or the Address of the House of Commons, could not possibly suit the Circumstances of this Province at that Time.

To Evidence this more clearly, if that can be, the Report of the Board of Trade to the House of Commons the Twenty-first of *January*, 1740, sets forth, that in Pursuance of the Address above mentioned, on the Twenty-fifth of *April*, preceding, his Majesty had been pleased to direct them to prepare, in order to lay before the then Sessions of Parliament, an Account of the Tenour and Amount of the Bills of Credit which had been issued in the several *British* Colonies, *&c.* Whereupon they did immediately send circular Letters to all the Governors of his Majesty's Plantations in *America*, reciting the said Address, and directing them forthwith to prepare and transmit the several Accounts therein required, as by a Copy of one of the said circular Letters, which they had thereunto annexed, would more fully appear; from whence it is unquestionably clear, that the Lords of Trade formed one circular Letter to be sent through all the Colonies however differently circumstanced; and this nearly in the Terms both of the Instruction of the Lords of Justices, and of the Address of that Honourable House, on the 25th of *April* preceding; although at the same Time they acknowledge, that being destitute of proper Information, it could not be expected they should be able to lay before the House an ade-

quate Remedy for the Evils complained of, and the rather because the Circumstances of the several Provinces being various and very different, each Province might require a distinct Consideration. But they proceed to say, being desirous as far as in them lay, to comply with the Intentions of the House, they would humbly propose that his Majesty would be graciously pleased to *repeat* his Orders to *his Governors* of the Plantations, not to give their Assent for the future to any Bill or Bills, for issuing or re-issuing of Paper Money in any of their respective Governments, without a Clause be inserted in such Act, declaring that the same shall not take Effect, until the said Act shall be approved by his Majesty; and then add, 'We hope these Proportions for reducing and discharging the Paper Currency in the Plantations, may have a good Effect in those Governments which are held by immediate Commission under his Majesty, but we are very doubtful whether they will produce the like Effect in the Charter Governments, who do apprehend themselves, by their particular Charters and Constitutions, to be very little dependent upon the Crown, and for that Reason seldom pay that Obedience to his Majesty's Orders, which might reasonably be expected from them."

That the Board of Trade should consider and report this to the House of Commons as a doubtful Expedient; that a Bill to inforce the Orders and Instructions of the Crown in *America*, should have been since repeatedly brought into the House, and though supported by Members of great Weight and Influence, at length rejected by the Justice of a *British* Parliament; that the Governor himself should have represented this very Bill to the Assembly of this Province as a Bill, he took for granted, they were all sensible to be of a mischievous Tendency, and would give their Agent full Instructions to oppose, should it become necessary; that the Honourable Proprietaries had laboured indefatigably, and with Success, to avert the Mischiefs threatened this Province from the passing of that Bill, and had it in Command from them to assure that Assembly of their Assistance upon all future Occasions, wherein the Welfare and Happiness of the People of this Province might be concerned; that this should be so in the Year 1749, and nevertheless that the Governor should be now pleased, without any apparent Necessity, to contend for the proposed Amendment, we own we are at a Loss to understand.

That the Instruction was designed as a temporary Expedient, we think will appear from the Report of the Board of Trade, on the Twenty-first of *January*, 1740, above-mentioned, five Months after the Date of the additional Instruction from the Lords Justices; at which Time that Board had not received Returns in Answer to their circular Letters, from any of his Majesty's Governors, on that Subject, except only from the Lieutenant Governor of *New-York;* in this Uncertainty, destitute, as they report, of proper Information, they propose that his Majesty would be pleased to *repeat* his Orders to his Governors of Plantations, not to give their Assent to any Paper Money Bills for the future, without the Clause as above; but notwithstanding this was addressed to the House of Commons, at the next Sessions after the Date of the additional Instruction to Governor *Thomas*, which had taken its Rise from an Address of that Honourable House, in their preceding Sessions, we cannot learn, and have good Reason to believe the Crown has never been pleased to repeat those Orders, at least to the Governors of this Province.

That the Ends proposed by that additional Instruction have been answered by the full Examination of all the States of Bills of Credit in the *American* Plantations by the Parliament, and an Act in Pursuance of that Enquiry, passed in the Year 1751, appears clear to us from the Report of our Committee; and that, since the passing of that Act, we are left in the full Possession of our Rights, in regard to a Paper Currency, we doubt not the Governor will concur with the Sentiments of this House.

The Governor, long since the Date of that Instruction, has received a Commission from our Proprietaries, with the Approbation of the Crown, and we hope and presume, he is at full Liberty to pass all our Acts upon the Terms granted us by the Royal and Provincial Charters; and as the additional Instruction, upon which the Governor has been pleased to ground his Amendment proposed to our Bill, appears long since to have answered the Ends proposed, we hope the Governor will think that neither himself or the Freemen of this Province are at this Time at all concerned therein, and will not put us under the disagreeable Necessity of examining the Validity of that Instruction; but that he will be now pleased to comply with the general Voice of the People, and the repeated unanimous Applications of their Representatives, in granting them, and the Trade of this Province, this

reasonable Relief, by giving his Assent to the Bill as it now stands."

And the Message being signed by the Speaker by Order of the House;

Ordered, That *Richard Walker* and *James Burnsides* wait upon the Governor, and deliver the same, together with the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Message of the House, and the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he would take the same into Consideration, and return an Answer to the House, if he found it required one.

The Committee appointed to audit and settle the public Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Perusal of the Members.

Ordered, That *William Hoge* have Leave to be absent the Remainder of this Sitting, upon an extraordinary Occasion.

The Message from the Governor, on *Indian* Affairs, was again read, and considered, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That the Clerk do acquaint *Conrad Weiser*, that the House require his Attendance To-morrow Morning.

Ordered, That the Clerk do make out a List of those Matters that were referred to the Consideration of this Sitting of Assembly, and lay it before the House To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Conrad Weiser is excused attending this House on Account of his ill State of Health.

The Clerk, according to Order, laid before the House a List of the several Things referred to this Sitting of Assembly.

A Petition from *Joseph Redman*, Collector of the Excise for the City and County of *Philadelphia*, was presented to the

House and read, setting forth, that at the Time of his coming to the said Office, there was delivered to him, by the Provincial Treasurer, a List of outstanding Debts, due to the former Collector, amounting to *Eight Hundred* and *Thirty-two Pounds;* that the Petitioner hath collected thereof *Six Hundred* and *Seventy-five Pounds*, in the doing of which he has been at a great deal of Trouble and Expence, as the said Debts were small, and lay in many Persons Hands, throughout the whole County; that he humbly conceives the usual Commission of *Five Per Cent*, to be by no Means an adequate Compensation for the same: Therefore he prays this House would allow him such further Sum for his said Trouble and Expence as they in their Wisdom shall think most meet.

Ordered, That the said Petition be referred to the Committee of Accounts, who are to report what they think necessary to be done therein by the House.

It being certified to this House, that one *Patrick Kearn*, of *Kent* County in *Maryland*, had apprehended, and delivered to Justice, one of the Persons, since executed for the Murder of *Eleanor Davis;*

Ordered, That the Sum of *Fifty Pounds*, as voted by the last Assembly, for the apprehending and Securing any one of the said Murderers, be paid into the Hands of *Benjamin Franklin*, one of the Members of this House, he being impowered by a Letter of Attorney to receive the same.

Ordered, That the Bill for the better regulating of Vendues;

The Bill for laying a Tax on Dogs, kept within the City of *Philadelphia*, and the Townships of the *Northern Liberties*, *Passyunk* and *Moyamensing*, and for the better Support of the Poor within the said City and Townships;

The Bill to prevent the Exportation of Wheat, Indian Corn, Flaxseed, and other Grain, and of Shingles, Staves, Heading, Boards and Timber, not merchantable; and to appoint an Officer to Measure Salt imported into this Province; and

The Petition against Gaming and Gaming Houses; which were all referred to the Consideration of this House be recommended to the consideration of the next succeeding Assembly.

The Petition from *Bucks* County, relating to the holding of Supreme Courts in *Philadelphia* County, was read, and referred to the Consideration of the next succeeding Assembly.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by his Secretary, sent down the Bill for striking *Twenty Thousand Pounds*, to be made current and

emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, with a written Message, as follows, *viz.*

GENTLEMEN,

'WHEN I sent down the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, I had not the least Apprehension that the Amendments by me proposed could have rendered it consistent with the Honour of the House, or of the Trust reposed in them by their Constituents, to have accepted it; especially as, on inspecting the Journals of your House of the Year 1746, I find, that when the same Instruction, in a Case of the like Kind, was then urged upon the Assembly by the late Governor, they were so far from disputing, that they appear clearly to have admitted the Validity of it in *ordinary Cases*, and, at that Time, only *hoped* the then Governor, on re-considering the Royal Instruction, might think himself at Liberty to give his Assent to a Bill for striking a further Sum of Money in Bills of Credit *when any extraordinary Emergency required it.* Hence it seems plain, that they did not then think his Majesty's Instruction, founded on an Address of the House of Commons, either illegal or temporary, *or that it was destructive of the Liberties granted to the People of this Province;* otherwise, in Duty to their Constituents, they would undoubtedly have represented it in the Light you now do. If these then were the Sentiments of both Governor and Assembly at that Time, and if they would not venture upon an Emission even of so small a Sum as *Five Thousand Pounds*, in a Case of so real Emergency as the Expedition against *Canada*, without immediately providing to sink it by a Tax in a short Space of Time, to what Purpose is it insinuated, as if I was the first to press so dangerous an Experiment, without the least apparent Necessity; when, in the Course of your Enquiries upon this Subject, the Transaction of the Year 1746 must needs have been well known to you?

'That there has not been an Instance of passing any Law in this Province under the Restrictions contained in the Amendment, may be very true, but I cannot think any Thing further is to be inferred from thence, than that no such Instruction was ever sent to the Governors of this Province before the Year 1740; otherwise, it is reasonable to conclude, they would have paid the same dutiful Obedience to it as was

done by your late Governor: Nor perhaps is a restraining Instruction so necessary upon any other Occasion as in the Business of Money: over which the King having peculiar Prerogatives, may well think himself intituled to claim the Superintendance.

'I confess myself at a Loss to conceive, how an Instruction, directed to a particular Governor by Name, or to the Commander in Chief of the same Province for the Time being, can be deemed to bind that particular Governor only, and not his Successor; since, by that Way of Reasoning, it is possible the King's Instructions, however necessary, urgent and well founded, might be altogether frustrated by the Death or Removal of the particular Person to whom they are by Name directed. I am persuaded, that, upon Recollection, you cannot think there is much Weight in this Argument. And as to its being temporary in its own Nature, I am far from thinking that to be the Case, either from the Face of the Instruction, in which no Limitation of Time is expressed, or from your Reasoning upon that Head. The several reports, Address and Royal Assent (except that of the 21st of *January*, 1740, in which the Charter Governments are mentioned not much to their Advantage) referred to in your Message, though not set forth in their Order of Time, are all of them prior to the Royal Instruction; from whence it is natural to conclude, that although his Majesty, upon the Report of the Lords of Trade, in our Favour, was graciously pleased to indulge us with the Sum of *Eight Thousand Pounds*, as being a just Medium at the Time; yet being made acquainted with the Abuses that had crept into some other of his Colonies by immoderate Quantities of Paper Money, and apprehending we might possibly run into the same Excess, issued this Instruction, with a View to restrain us from injuring ourselves and the *English* Merchants by unnecessary Emissions of Bills of Credit: Nor is it to be doubted, that if you can make it appear to his Majesty's Ministry, that an Addition to your Currency would, at this Time, be of Service to the Province, the same Royal Favour will be again extended to you as was upon your last Application.

You are pleased to acquaint me, that you are at a Loss to understand why, I who, in the Year 1749, re-presented a Bill, then depending in the House of Commons, for inforcing the Orders and the Instructions of the Crown in *America*, to be of mischievous Tendency, should now, without any apparent Necessity, contend for the proposed Amendment. In Answer to which, I now inform you, that I am still of the

same Opinion, with regard to that Bill, as at the Time you mention: But surely a very moderate Share of Penetration is sufficient to distinguish between an Act to inforce all Orders and Instructions of the Crown, of whatever Nature, and a Royal Instruction, founded on an Address of Parliament, that only relates to one particular Point, in which his Majesty's Prerogative may be supposed to be concerned, and which, besides, is plainly calculated to do Justice between Man and Man; and you will certainly allow me to judge for myself, of the Necessity I am under of paying Obedience to the King's Instruction, when a Disregard of it is threatened with his Majesty's highest Displeasure.

'I do not by any Means blame you, Gentlemen, for contending for what you are persuaded are your Rights and Privileges; and consequently can have no Objection to your examining the Validity of the King's Instruction. One Precaution, however, I think it my Duty to lay before you, though I hope it is not necessary, that in the Course of this Examination, you will proceed with such Temper and Moderation, that you may give the World no Room to repeat the Charge made against this Province among others, by the Lords of Trade, of *its apprehending itself to be very little dependent on the Crown, or of its not paying a reasonable Obedience to his Majesty's Orders.*

'Upon the Whole, I am sincerely of Opinion, that the Royal Instruction is of the same Force at present as when the late Governor told the Assembly, in 1746, *that he could not bring himself to such a Pitch of Boldness as to contravene it;* of which Opinion that Assembly seems also to have been, by their not having disputed either the Validity of the Instruction, or the Continuance of its Operation. Why, therefore, an Instruction, allowed to be in Force in the Year 1746, and still unrevoked, should now be deemed to be of no Effect, though the State of our Paper Currency has not suffered the least Alteration since that Time, is what I own, I cannot comprehend; nor can I bring myself to think, that I may be ever freed from the Obligation of paying a strict Obedience to it until the same shall be revoked, or that I may be otherwise discharged from it by his Majesty's Authority.

'I have given both the People of this Province and their Representatives too many Proofs of my Regard for their Liberties and Privileges, to have it suspected that I am capable of entering into a Scheme to deprive them of either: Nor shall I ever cease to do them all the Service in my

Power, consistent with the Duty I owe to his Majesty, and the Rights of the honourable Gentlemen whose Commission I have the Honour to bear.

September 7, 1753. JAMES HAMILTON."

And the said Message being read, the Question was put, whether the Clause proposed by the Governor shall be added to the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province?

Past in the Negative unanimously.

Ordered, That *Evan Morgan*, *Joshua Morris*, *Benjamin Franklin*, *Hugh Roberts*, *Mahlon Kirkbride*, *Richard Walker*, *George Ashbridge*, *James Wright*, *John Wright*, *David M'Connaughy*, *John Armstrong*, *Moses Starr* and *James Burnsides* be a Committee to consider the Governor's Message, and report thereon to the House To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to consider the Governor's Message, and report thereon to the House, reported, that they had made some Progress therein, but not having finished the same, they desired that further Time might be allowed them for that Purpose.

To which the House assented.

Then the House adjourned to next *Second-day*, at Three o'Clock, *P. M.*

The House met, according to their Adjournment.

The Committee appointed to consider the Governor's Message of the 7th Instant, report, that they had made some further Progress therein, and should be ready to report to the House To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to consider the Governor's Message of the 7th Instant, made their Report in Writing, which is as follows, *viz.*

AS the Governor has been pleased to return the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, in a Manner which denies any further Access to him on that Head, except on the Alternative of accepting the additional Clause

proposed to be added to that Bill; and as the Clause, upon the Vote of the House, has been unanimously rejected, we have now no other Method to secure ourselves from future Insinuations of being unfaithful to the high Trust reposed in us by our Constituents, but by leaving our Sentiments of the Governor's Amendment and Message on our Minutes, in the clearest Manner we are able.

In Obedience therefore to the Orders of the House, we have considered the Governor's Message of the seventh Instant, sent down with the Bill, and have likewise reconsidered the Votes of this House, to which the Governor is pleased to refer, as a Proof that the Governor and Assembly in the Year 1746 thought the Lords Justices additional Instruction, upon which the said Clause is founded, was neither illegal or temporary, or destructive of the Liberties granted to the People of this Province.

The Governor is pleased to say, it appears to him the then Assembly have clearly admitted the Validity of that Instruction, in ordinary Cases, and that they only hoped the Governor, on re-considering the Royal Instruction, might think himself at Liberty to give his Assent to a Bill for a further Sum of Money in Bills of Credit, when an extraordinary Emergency required it. And yet, notwithstanding the Governor's private Sentiments, it appears clear to us, that both the then Governor, and the House too, agreed in the essential Point, that the additional Instruction of the Lords Justice was not binding upon neither of them; for it is beyond all Contradiction, that although Governor *Thomas* had sent down that Instruction to a former Assembly, and had again mentioned it at that Time, yet he gave his Assent to the Bill for granting *Five Thousand Pounds* for the King's Use, and the Money was raised, as we apprehend, in direct Opposition to the Instruction, which expressly enjoins the Governor, 'and he is thereby required, upon Pain of his Majesty's highest Displeasure, not to give his Assent to, or pass any Act whereby Bills of Credit may be issued in Lieu of Money, without a Clause be inserted in such Act, declaring that the same shall not take Effect until the said Act shall be approved by his Majesty, his Heirs, or Successors;" without the least Distinction between ordinary and extraordinary Cases; and if the Assembly make Use of those Distinctions to induce the Governor to think himself at Liberty to pass that Bill, and in Effect did convince him that the Instruction was not to be submitted to upon its own Terms, we must own he had a greater Regard to the Sentiments of that Assembly, than we

have any Reason to believe our Governor has to the repeated Requests of this House. And we have no Reason to doubt, if we could prevail upon our Governor to give his Assent to our Paper Money Bill, this House would as readily assure him, they hoped he might think himself at Liberty to pass that Bill, and all other Bills presented to him by the Representatives of the Freemen of this Province, not only upon extraordinary Emergencies, but in all ordinary Cases too, without the least Apprehensions of his Majesty's Displeasure, so far as those Laws were consistent with the Royal Charter.

The Governor proceeds, 'that there has not been an Instance of passing any Law in this Province under the Restrictions contained in the Amendment, may be very true; but he cannot think any Thing further can be inferred from thence, than that no such Instruction was ever sent to the Governors of this Province before the Year 1740, otherwise it is reasonable to conclude they would have paid the same dutiful Obedience to it, as was done by your late Governor." Your Committee are at some Loss upon this Paragraph, whether they ought to produce other and older Instructions than the Year 1740, lest the Governor should think himself obliged to pay a strict Obedience to these also; but as they are already printed in your Votes, which must now soon appear, and the House probably will not order them to be erased, we shall only say, that there was an additional Instruction by the Lords Justice to Governor *Keith*, dated the 23d of *July*, 1723, without any Limitation of Time (and we do not think it necessary to search for any more of them) the Original of which we presume must be in the Governor's Possession, commanding him, among other Matters, in these Words, 'you are to take Care, that for the future you do not pass any private Act, without a Clause inserted therein, suspending the Execution of such Act until his Majesty's Royal Approbation shall be had thereof;" which notwithstanding the Governor neither does, and we hope never will think himself obliged to observe.

Having now taken it for granted the Instruction was allowed by the Governor and Assembly to be valid, without Limitation of Time, in the Year 1746, the Governor is pleased to say, 'why then an Instruction allowed to be in Force in 1746, and still unrevoked, should be deemed to be of no Effect, though the State of our Paper Currency has not suffered the least Alteration since that Time, is what he cannot comprehend."

It is our Misfortune that the Governor has been pleased to keep our Bill, the only Bill of this Year, to this our last Ses-

sion, without the least Intimation that he apprehended himself at all concerned or bound by an additional Instruction to Governor *Thomas*, in the Year 1740, and now so suddenly to foreclose us from any further Messages or Conferences on a Bill of so much Importance; otherwise we cannot doubt he must have been made sensible, that the State of our Paper Currency (and our Trade too) has suffered a very considerable Alteration within the Period the Governor is pleased to mention.

That the States of all the Paper Currencies in *America* at, and since, that Time, under a Parliamentary Enquiry, have been since carefully examined by the House of Commons, appears by their Votes; and that the Sum current among us has likewise suffered an Alteration, and a Diminution, is consistent with our own Knowledge, who have now sunk *One Thousand Pounds*, besides the *Fifteen Hundred Pounds* sunk by former Assemblies, in Discharge of so much of the *Five Thousand Pounds* granted to the King's Use by the very Act to which the Governor refers.

But the Governor, unhappily for us, 'is sincerely of Opinion, that the Royal Instruction is of the same Force at present as it was in the Year 1746, and that he cannot bring himself to think that he can ever be freed from the Obligation of paying a strict Obedience to it, until the same shall be revoked, or that he may be otherwise Discharged from it by his Majesty's Authority." Unfortunate *Pennsylvania*, under such Sentiments! If the King should judge all the Purposes of that Instruction answered, upon passing the Paper Money Act, laid upon him by his Parliament in 1751 we must nevertheless for ever continue under the Burden of it, without Redress: And if we should suppose the Governor is restricted by the Proprietaries from giving his Assent to the Emission of any further Sum in Bills of credit, as we have very little Reason to doubt, if then the Proprietaries should be pleased to withdraw that Restriction, and leave him at Liberty to pass all our Acts upon the Terms granted us by our Charters, what will this avail, if the Governor continues to think he can never be freed from the Obligation of paying a strict Obedience to this additional Instruction?

Under these Circumstances how must the Proprietaries, or Freemen of this Province, conduct themselves to the Satisfaction of the Governor, in order to be once more restored to the Rights granted to the Proprietaries and People of this Province by the Royal and Provincial Charters? That the Pro-

prietaries may have some Influence over him, is not improbable; but how far the good People, or their Representatives, may expect to have any, on this, or any other Occasion, we fear is too evident.

The Governor is pleased to say, in Answer to our Message of the 5th Instant, upon the mischievous Tendency of the Bill brought into Parliament in 1749, 'that he is still of the same Opinion with regard to that Bill, but thinks a moderate Share of Penetration is sufficient to distinguish between an Act to inforce all Orders and Instructions of the Crown of whatever Nature, and a Royal Instruction, founded on an Address of the Parliament, that only relates to one particular Point, in which his Majesty's Prerogative may be supposed to be concerned, and besides is plainly calculated to do Justice between Man and Man; and we must certainly allow him to be Judge of the Necessity he is under of paying Obedience to the King's Instruction, when a Disregard of it is threatened with his Majesty's highest Displeasure.

Upon which your Committee beg Leave to remark: They apprehend all Royal Orders and Instructions subject the Governors to whom they are directed, and their Successors too, as the Governor is pleased to inform us, to the Royal Displeasure, unless such Instructions are revoked by his Majesty's Authority; and yet we cannot find that Governor *Keith*, to whom it was directed, or Governor Gordon, his Successor, or Governor *Thomas*, or our present Governor, have ever thought themselves under any Danger of incurring his Majesty's Displeasure for a total Neglect, and direct Disobedience to the additional Instruction of the Lords Justices in 1723, the Original of which we make no Doubt, as well as of the Instruction of 1740, is in the Governor's Possession; and the Substance of both we know to be printed with the Minutes of our House; 'why then an Instruction, allowed to be in Force in 1723, and still unrevoked, should be of no Effect," and an additional Instruction of the Lords Justices in 1740, possibly revoked by the Conduct of the succeeding Sessions of the same Parliament, upon whose Address to his Majesty that Instruction was founded, should be so *strictly* binding, "is what we cannot apprehend."

But the Governor is pleased to say, 'we must certainly allow him to be Judge of the Necessity he is under of paying Obedience to the King's Instruction, when a Disregard of it is threatened with his Majesty's highest Displeasure."

If then the Governor, when he takes it for granted that we must certainly leave him to judge for himself in this Case,

is intended to mean, 'that he cannot bring himself to think that he can ever be freed from the Obligation of paying a strict Obedience to *all* Royal Instructions, until the same shall be revoked, or that he may be otherwise discharged from them by his Majesty's Authority;" why then has he so totally disregarded the Lords Justice additional Instruction of 1723.

Or if the Governor means, we must certainly leave him to judge of the Necessity of remembering or not remembering the Royal Instructions, as the one or the other may suit the Purposes of the Governor, to whom they are directed, or such of his Successors as may claim a Protection under them: How is this to be reconciled with the great Regard the Governor is pleased to declare he has to the Liberties and Privileges of the People?

Again, if he means Royal Instructions, if unknown to him, though possesses of the Originals, and not binding, and cannot be attended with any Danger of his Majesty's Displeasure, why had he not been pleased to forget the Instruction of 1740, as well as the Instruction of 1723, since there appears no greater Danger, as far as we know, from a Disgard of the one than of the other?

But if the Liberty the Governor contends for can mean that we must allow him to judge for himself, how far he may or may not obey such Royal Instructions, at his own Risk (as his Majesty's highest Displeasure is threatened against him particularly) and at his own Pleasure too, then we must own we are at a Loss to distinguish any great Difference between the mischievous Tendency of an Act to inforce all Orders and Instructions of the Crown whatever, and the Necessity the Governor is pleased to think we are under to allow him the Power of inforcing them whenever he shall think fit; with this Preference, however, that we would far rather chuse to submit ourselves, and our Cause, to the King, and the Justice of a *British* Parliamant, than to the mere Will of our Governor, whether to inforce or disregard them, however they may have answered their Ends, or otherwise abated of their Force. And in the present Case, we hope the Governor, on Reflection, will pay some Regard to the Judgment of the same Parliament, from which the Address to the Crown had been preferred to issue this additional Instruction, who, although requested in their next Session, by the Board of Trade, to Address the Crown again, that he would be pleased to repeat his Instructions to the Governors in his *American* Colonies, have not only never complied therewith, that we know of, but have since passed an Act for restraining the issuing the

Bills of Credit in those particular Colonies, where, after a full Enquiry, they found such Emmissions injurious to the Trade of *Great-Britain*, or not calculated to do Justice between Man and Man, and have left us, as we presume, exonerated from the Burden of this additional Instruction, and in full Power over our Laws, upon the Terms of our Charters; and so long as we ask nothing farther than is warranted by these, we hope it neither will nor can interfere with the Royal Prerogatives.

It may be presumed the Representatives of this Province, when met in their Assemblies, have some valuable Privileges yet left, in framing their Laws, to do Justice between Man and Man, without the Aid of an additional Instruction; and we hope it cannot be expected that we should very easily part with those Rights, and depend on Royal Instructions, over which we are to allow the Governor the Power he is pleased to contend for; and we have no Reason to doubt, all Men of Understanding and Candour will prefer a regular Course of Laws, occasionally suited to the Times, and framed by the Representatives of the People annually chosen, and assented to by their Governor, to a Series of Instructions sent for that Purpose from so great a Distance.

For our own Part, we are fully satisfied and assured, that so long as we continue in our Duty and Loyality to the best of Kings, who has been pleased to declare, *'That nothing in this World can give him so much Pleasure as to see (his Subjects) a flourishing and happy People;"* and neither claim nor desire other or greater Privileges than those we have a Right to, under the Grant of his Royal Predecessors, we can have nothing to fear from the King or a *British* Parliamnet: And as it is our duty to defend these in the best Manner we are able, in the faithful Discharge of so high a Trust, we shall have the Satisfaction of our own Minds, and, we hope, the Countenance of all good Men, notwithstanding the Governor's Opinion, that the Charge made against this Province (among other Charter Provinces) by the Board of Trade, is not much to our Advantage.

Upon the Whole, your Committee beg Leave to add, they apprehend it must be not only a Loss of Time to the Representatives, but a great Expence to the Country, to prepare Bills for the Governor's Assent, if he should be bound by private Instructions from our Proprietaries, and 'should not be able to bring himself to think he could ever be freed from the Obligation of paying a strict Obedience to these Instruc-

tions until the same should be revoked." That there are such Obligations or Instructions which may possibly have some Weight in the present Dispute, as well as the additional Instruction of 1740, your Committee have good Reason to believe: In Order therefore to do Justice to our Governor, as well as our Constituents, and to save all unnecessary Expence, and Loss of Time to both, we submit to the Consideration of the House, how far they may judge it necessary to recommend this Enquiry to the succeding Assembly.

Submitted to the Correction of the House by

EVAN MORGAN,
JOSHUA MORRIS,
BENJ. FRANKLIN,
HUGH ROBERTS,
MAHLON KIRKBRIDE,
GEORGE ASHBRIDGE,
JAMES WRIGHT,
JOHN WRIGHT,
JOHN ARMSTRONG,
MOSES STARR,
JAMES BURNSIDES."

And the said Report being read, was unanimously approved of, and recommended to the Consideration of the next succeeding Assembly.

Resolved, That *Mahlon Kirkbride* be one of the Trustees of the General Loan-Office, in the Room of *Abraham Chapman*, who is now disabled from acting in said Office.

The Petition from the United Brethren at *Bethleham* was read, and referred to the Consideration of the next succeeding Assembly.

The Petition from *James Read* was read, and recommended to the Consideration of the next succeeding Assembly.

Resolved, That this House will this Day adjourn to the Thirtieth Day of *September* next.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to consider the Representation of the Assembly in 1751 to the Proprietaries, and the Proprietaries Answer there to, made their Report in Writing, which was read, unanimously approved of, and ordered to be deposited among the other Papers belonging to this House.

Ordered, That *Joshua Morris* and *Peter Worral* wait upon the Governor, and present him the Thanks of the House for his great Care in *Indian* Affairs; and further, that they acquaint the Governor with the proposed Time of Adjournment.

The House being informed that the second Volume of the old Votes was nearly finished;

Resolved, That on Receipt of Fifty of the said Volumes bound, the Speaker be impowered to issue an Order under his Hand, drawn on the Treasurer, for the Payment of so much Money as they shall amount to, at the same Rate for Printing and Binding as was allowed for the first Volume.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return and report, that they had delivered the same according to Order, and that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment.

The Committee of Accounts to whom *Joseph Redman's* Petition was referred, reported, that they were of Opinion, that, in Consideration of his extraordinary Trouble in recovering the outstanding Debts of the late Collector, he ought to be allowed the additional Commissions of *Five per Cent* for collecting the same.

Resolved, That the said *Joseph Redman* be allowed, in his future Settlements with the Committee of public Accounts, *Ten per Cent* on all Monies collected by him of the outstanding Debts of the late Collector of the Excise for the City and County of *Philadelphia*.

Resolved, That every Member, now in the House, who hath not already been supplied, be intituled to one Copy each, of the first Volume of the Minutes of Assembly now printing.

The Report of the Committee of Public Accounts was approved of, and allowed by the House, and follows in these Words, *viz.*

WE, *the* COMMITTEE *appointed by the Assembly of the Province of* Pennsylvania, *to audit and settle the Accounts of the* GENERAL LOAN-OFFICE, *and other Public Accounts; to sink and destroy the Bills of Credit, received in Exchange, pursuant to the late Paper-Money Acts; and to count all the Money, and report what Sum we should actually find in the Trustees Hands*, REPORT.

THAT on the 30th of the Seventh Month we counted the Money in the Hands of the Trustees of the Loan-Office, and found the Sum of ..... £ 6,209 10 10

THAT upon a strict Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Assembly for emitting Paper Bills, and now remaining in the Loan-Office undischarged,						
We find there are principal Sums or Quotas thereon to become due (after the 30th of the Seventh Month last) and payable to the Trustees the Sum of	£51,347	17	6			
Deduct for a Loss on Abraham Soloman's Mortgage on the Second Re-emission of the second £80,000	40	0	0			
Makes all the Quotas to become due, ...	£51,307	17	6			
That the Quotas outstanding, and then due on all the Mortgage Deeds in the said Office, amounted to	17,311	10	0			
Deduct for a Loss on Abraham Soloman's Mortgage, ..	6	0	0			
Makes all the Outstandings				£17,305	10	0
That it appears by a List of 125 Mortgages, taken on the sixth Remission of the second £80,000 Act, there has been lent out thereon, the Sum of				8,552	10	0
And by a List of 28 Mortgages, taken on the seventh Re-emission of the same Act, the Sum of	1,917	0	0			
				£79,082	17	6
That several Sums lent the City of Philadelphia are not yet repaid, viz. The Balance of the first Sum lent the said City	156	0	0			

The Balance of the Sum lent the said City for building Alms-houses, ...	187	10	0				
				£	343	10	0
				£79,426	7	6	
Balance in the Hands of the Trustees, ...				573	12	6	
				£80,000	0	0	

THAT the Trustees, on Account of Interest, are Charged with the Balance due to the Province at the last Settlement in 1752, ...	£ 2,008	1	1¾				
And with the Interest outstanding on all the Mortgage Deeds at the last Settlement, ...	7,159	4	3½				
To the Interest arising on all the Mortgage Deeds for the current Year, ...	3,150	15	4				
To the broken Interest received since last Settlement, ...	1,243	2	8				
				£13,561	3	5¼	
THAT the Trustees have Credit for the Interest, which, upon a careful Examination of the Indorsements upon all the Mortgage Deeds in the Office, appears to have been outstanding and due on the 30th of the Seventh Month last, amounting to	£ 7,698	5	3				
Deduct for a Loss on Abraham Solomon's Mortgage on the second Re-emission of the second £80,000	10	0	8				
Makes the true Interest outstanding	£ 7,688	4	7				

By Cash paid sundry Orders for Assembly Men's Wages, the Whole			506	3	0
		£	8,194	7	7
Brought forward, ...	£		8,194	7	7
Cash paid the Superintendents of the State-house, at several Times, ...			700	0	0
Ditto paid Lynford Lardner for the Proprietaries, ...			130	0	0
Ditto paid Samuel Kirk, for Wood, &c.			14	1	9
Ditto paid Charles Brockden, on Account, ...			80	0	0
Ditto paid Isaac Norris, to Purchase Books for the use of the Assembly, ...			850	0	0
Ditto paid Arthur Buchannan, per Order of the Speaker,			10	0	0
Ditto paid Pass and Stow for re-casting the Bell, per Order of the Superintendants of the State-house, ...			60	13	5
By one Years Salary of the Trustees of the Loan-Office,			500	0	0
By Cash paid the Treasurer of the Pennsylvania Hospital, per Order, ...			1,000	0	0
By Allowance per Law for Exchanging £2,366 3 9 at 55s. per Thousand, ...			6	9	6
By a Loss on Abraham Soloman's Mortgage, for Quota Account	£	46 0 0			
And for Interest Account		10 0 8			
			56	0	8
		£	11,601	12	11
Balance due to the Province			1,959	10	6¼
					£13,561 3 5¼

We do likewise Report, that we have examined the Provincial Treasurer's Account, and find				
That he Credits the Province for Balance due at the last Settlement in the Sixth Month, 1752, ... £	509	5	3	
And by Cash received of Joseph Redman, Collector of the Excise for the City and County of Philadelphia, ...	2,101	9	0	
By Ditto of John Woolston, Collector of Bucks, ...	232	0	0	
By Ditto of Jeremiah Starr, Collector of Chester, ...	450	14	2	
By Ditto of Arthur Patterson, Collector of Lancaster, ...	458	6	3	
By Ditto of David M'Connaughy, Collector of York,	75	15	6	
By Ditto of James Lindsay, Collector of Cumberland, ..	37	8	0	
By Ditto of John Hughes, Collector of Berks, ...	320	5	10	
By Ditto of Daniel Craig, Collector of Northampton, ...	97	8	10	
				£ 4,282 12 10
That he Charges the Province with sundry Sums paid in Pursuance of the Votes or Orders of the House, viz.				
John Kelton, per Order, ...	5	0	0	
Charles Brockden, for recording and copying sundry Acts of Assembly, per Order, ...	4	17	11	
Samuel Kirk, per Order, ...	8	0	0	
Benjamin Franklin, per Order,	251	10	0	
Ditto, per Ditto, ...	34	1	6	
Ditto, per Ditto, ...	6	12	0	
William Franklin, per ditto	61	18	6	
Ditto, per Ditto, ...	14	8	0	

Edward Kelly, per ditto, ...	10	5	1
Charles Stow, per ditto, ...	2	0	0
Isaac Norris, per ditto, ...	60	0	0
Ditto, (£100 Sterling to be remitted to Richard Partridge, Exch. 67½ per Cent) per Order, ...	167	10	0
Caleb Cowpland, one of the Judges of the Supreme Court, per Order, ...	60	0	0
Lawrence Growdon, per ditto,	60	0	0
Mary Burden, per ditto, ...	5	0	0
Charles Essek, Expence for an Indian, per ditto	2	9	8
Charles Norris, in Behalf of John Hart	0	10	0
Richard Peters, per Order, ..	15	0	0
John Patten, per ditto, ...	30	0	0
Paid Evan Morgan, per ditto,	1	14	0
Ditto, per ditto, ...	6	0	0
Philip Syng, per ditto, ...	25	16	0
William Allen, for his Salary as Chief Justice, ...	200	0	0
John Smith, per Order, ...	7	16	0
Edward Warner, per ditto, ..	7	16	0
Richard Peters, for the Governor, per ditto, ...	109	4	0
Jonathan Robinson, for taking one of the Murderers of E. Davis, ...	50	0	0
Richard Peters, for the Governor, ...	188	12	0
Ditto, per ditto, ...	102	4	0
Mahlon Kirkbride, per Order,	1	4	0
Charles Norris's Clerk, for William Evans, per ditto,	0	15	0
Hugh Roberts, per ditto, ...	6	12	0
George Henry and Company, per ditto, ...	16	0	0
Richard Peters, for the Governor, ...	500	0	0

Charles Norris in Part of the £5000 for the King's Use, ordered to be sunk, ...	1,000 0 0		
		£ 3,022 15 8	
To Commission on the above, at Five per Cent.		151 2 9	
Balance due to the Province, ...		1,108 14 5	
		£ 4,282 12 10	
THAT Joseph Redman Credits the Province with the Balance due at last Settlement on the List of Outstandings delivered him by Judah Foulke, ...		£ 172 2 6	
That he Charges the Province with Cash paid to Michael Lightfoot, Treasurer, ...	£ 13 18 3		
To his Commissions thereon, at 5 per Cent, ...	0 13 11		
To Balance outstanding, ...	157 10 4		
		£ 172 2 6	
THAT we have examined the Accounts of Joseph Redman, Collector of Excise for the City and County of Philadelphia, and find,			
That he Credits the Province, by Balance due at last Settlement	£ 135 14 5		
And by the Amount of Excise from June 1, 1752, to June 1, 1753, ...	2,000 12 8		
By sundry Retailers, at £2 per Annum, ...	203 5 0		
By one Moiety of sundry Fines, as per List, ...	20 15 0		
Carried forward, ...		£ 2,360 7 1	
Brought forward, ...		£ 2,360 7 1	
That he Charges the Province, to Cash paid to Michael Lightfoot, Provincial Treasurer, ...	2,087 10 9		

To his Commissions thereon, at 5 per Cent, ...	104	7	6				
To Balance due to the Province, outstanding, ...	168	8	10				
				£	2,360	7	1
THAT we have examined the Accounts of John Woolston, Collector of Excise for the County of Bucks, and find,							
That he Credits the Province for the Balance due at last Settlement, ... £	17	2	8				
By the Amount of Excise from June 1, 1752, to June 1, 1753, ...	283	5	0				
By Sundry Retailers, at £3 per Annum, ...	9	0	0				
				£	309	7	8
That he Charges the Province, to Cash paid to Michael Lightfoot, Treasurer, ...	232	0	0				
To his Commissions thereon, at 10 per Cent, ...	23	4	0				
	255	4	0				
Balance due to the Province, ...	54	3	8				
				£	309	7	8
THAT we have examined the Accounts of Jeremiah Starr, Collector of the Excise for the County of Chester, and find,							
That he Credits the Province for the Balance due at the last Settlement, ... £	278	9	9				
By Amount of Excise from June 1, 1752, to June 1, 1753, ...	427	16	0				
By Sundry Retailers, at £3 per Annum, ...	7	10	0				
				£	713	15	9

That he Charges the Province, to Cash paid to Michael Lightfoot, Treasurer, ...		450	14	2			
To his Commissions thereon, at 10 per Cent, ...		45	1	5			
	£	495	15	7			
Balance due the Province,		218	0	2			
					£	713	15 9
That we have examined the Accounts of Arthur Patterson, Collector of Excise for the County of Lancaster, for two Years past, and we Charge him,							
To a Balance due from him to the Province, as per Report of the Committee last Year, ...	£	93	15	10			
To the Amount of Excise from June 1, 1751, to June 1, 1752, ...		274	8	0			
To Ditto from June 1, 1752 to June 1, 1753, ...		223	5	1			
					£	591	8 11
That we Credit him, by Cash paid Michael Lightfoot, Treasurer, ...		458	6	3			
By his Commissions thereon, at 10 per Cent, ...		45	16	7			
	£	504	2	10			
Balance due to the Province, ...		87	6	1			
					£	591	8 11
THAT we have examined the Accounts of David M'Connaughy, Collector of Excise for the County of York, for two Years past, and we Charge him,							

To the Balance of Account, settled in 1751, ...	£	5	12	5½		
To the Amount of Excise from June 1, 1751, to June 1, 1752, ...		55	2	5		
To Ditto from June 1, 1752, to June 1, 1753, ...		60	18	4		
					£	121 13 2½
That we Credit him,						
By Cash paid Michael Lightfoot, Provincial Treasure, ..		75	15	6		
By his Commissions thereon, at 10 per Cent, ...		7	11	6		
		83	7	0		
Balance due to the Province, ...		38	6	2½		
					£	121 13 2½
THAT we have examined the Accounts of James Lindsay, Collector of Excise for the County of Cumberland, and find, By Balance due on last Settlement, ...		£20	3	7		
By the Amount of Excise from June 1, 1752, to June 1, 1753,		55	0	4		
By Cash received for Excise entered with B. Chambers, late Collector, ...		3	12	0		
						£78 15 11
That he Charges the Province with Cash paid Michael Lightfoor, Treasurer, ...		37	8	0		
To his Commission thereon, at 10 per Cent, ...		3	14	10		
		41	2	10		
Balance due to the Province, ...		37	13	1		
						£78 15 11

THAT we have examined the Accounts of John Hughes, Collector of Excise for the County of Berks, and find that he Credits the Province, By the Amount of Excise from Sixth Month 1, 1752, to Eighth Month 1, 1753, ...	£404	1	2		
By one Moiety of Fines received, ...	5	0	0		
By Cash received upon the List returned to him by Joseph ceived, ...	31	17	2		
				£440	18 4
That he Charges the Province to Cash paid Michael Lightfoot, Treasurer, ...	320	5	10		
To his Commissions thereon, at 10 per Cent, ...	32	0	6		
	352	6	4		
Balance due to the Province, ...	88	12	0		
				£440	18 4
THAT we have examined the Accounts of Daniel Craig, Collector for the County of Northampton, and find that he Credits the Province,					
By the Amount of Excise from the 19th of June 1, 1752, to the 19th of June, 1753, ...	£86	7	0		
By a List of Outstandings returned to him by John Woolston, ...	26	10	6		
Carried forward, ...				£112	17 6
That he Charges the Province to Cash paid Michael Lightfoot, Treasurer, ...	97	8	9		

To his Commissions thereon, at 10 per Cent, ...		9	14	9		
		107	3	7		
Balance due to the Province, ...		5	13	11		
					£112	17 6
THAT it appears by the Report of the Committee last Year, there remained in the Hands of the Trustees, to exchange old and ragged Bills, viz.						
Of the Bills struck for that Purpose by the £80,000 Act, and £10,000 Act, ...	1174	3	2			
Of the small Bills or Tickets,	4010	13	1			
					£5184	16 3
And we do further Report, that we have burnt and destroyed of the above said Sum (before counting the Money in the Chest)						
Of the old and ragged Bills of several Emissions struck before the £80,000 Act, ...	96	15	6			
And of ditto, of the £80,000 and £10,000	843	1	0			
And of the small Bills or Tickets, ...	426	7	3			
Makes the whole Sum burnt,	£1366	3	9			
Which leaves in the Hands of the Trustees for exchanging of torn and ragged Bills the sum of	3818	12	6			
					£5184	16 3
And lastly we Report, that in Pursuance of the Act that gave £5,000 to the King's Use, we have burnt and destroyed the Sum of					£1000	0 0

Submitted to the Correction of the House, Eighth Month 29, 1753, *by*

EDWARD WARNER, EVAN MORGAN,
JOHN SMITH, THOMAS CUMMINGS."
HUGH ROBERTS,

Then the several Orders for the Payment of the Members Wages, the Salaries of Officers, and other incidental Charges, being signed by the Speaker, by Order of the House;

The House adjourned to the 30th of September.

INCIDENTAL CHARGES

	£		
To *William Allen*, Esq; Chief Justice of the Supreme Court, ...	200	0	0
To *Lawrence Growdon*, Esq; Second Judge of the Supreme Court, ...	60	0	0
To *Caleb Cowpland*, Esq; Third Judge of the Supreme Court, ...	60	0	0
To *Richard Patridge*, Esq; his Salary as Agent, £ 100 Sterl.	165	0	0
To *Robert Charles*, his Salary as Assistant to the Agent, £ 50 Sterl.	82	10	0
To the Speaker for immediate Services,..	30	0	0
To the Members of Assembly, for their Attendance, at 6 *s. per* Day, the whole Amount, ...	453	13	0
To *Edward Warner*, for 30 Days Attendance on the Committee of Accounts, and burning Paper Money, at 6*s. per Day*, ..	9	0	0
To *John Smith*, for 33 Days Ditto, ...	9	18	0
To *Hugh Roberts*, for 30 Days Ditto, ...	9	0	0
To *Evan Morgan*, for 11 Days Ditto, ...	3	6	0
To *Thomas Cummings* for 10 Days Ditto, .	3	0	0
To *Charles Brockden*, Master of the Rolls, his Account, ...	3	18	4
To *Richard Peters*, Secretary, his Salary as Clerk to the Council	15	0	0
To Ditto, his Account for Cash Advanced, and sundry Services, ...	46	17	0

To *William West*, for Cash paid *James Lowry*, for carrying Expresses from the Governor to Ohio and said *West's* Expences in forwarding those Expresses, 32 9 1½			
Of which Sum *Richard Peters*, Esq; hath paid, and charged 10 4 0	22	5	1½
To *Andrew Montour*, for Services on *Indian* Affairs, ...20 0 0			
Of which *Richard Peters*, Esq; hath paid him 12 0 0	8	0	0
To *John Arts*, Waggoner, for carrying Part of the *Ohio* Present in 1750,.... 12 0 0			
Of which *Richard Peters*, Esq; paid, in Part, ...10 0 0	2	0	0
To *Lynford Lardner*, late Keeper of the Great Seal, his Account,.....	8	0	6
To *Benjamin Franklin's* Account, ...	24	5	0
To *William Franklin*, Clerk to the House, for 40 Days, at 6*s per* Day, ...	12	0	0
To Ditto his Account, ...	35	1	0
To *Conrad Weiser*, Esq; for *Indian* Expences, and his Journey to *Shamokin*, ..	25	5	0
Carried forward,	£ 1287	18	11½
Brought forward,	£ 1287	18	11½
To *Conrad Weiser*, for Expences, *&c.* on his Journey to *Albany* and the *Mohocks* Country, in the Service of the Government, ...28 14 2	58	14	2
And for his Trouble therein, ..30 0 0			
To *Ezekiel Dunning*, Sheriff of *Cumberland* County, for Expences on *Daniel Hurley*, 21 0 0			
Of which Sum his Deputy, *Arthur Buchanan*, received, ...10 0 0	11	0	0
To *Samuel Morris*, Sheriff of *Philadelphia* County, his Expences on the Trial and Execution of *Daniel Hurley*, ...	8	16	0
To *Hermanus Alricks*, for Cash paid for apprehending said *Daniel Hurley*, ...	5	0	0

To *Benjamin* and *William Franklin*, for Postage of Public Letters to the Governor, *&c.* as per Accounts, ...	19	19	9
To *Samuel Kirk*, Sergeant at Arms, his Salary, ...	8	0	0
To *Edward Kelly*, Door-keeper, for Attendance 40 Days, at 4*s. per Day*, ...	8	0	0
To Ditto, as *per* Account, ...	2	11	7½
To *Richard Richardson, Thomas Jervis, &c.* in Consideration of their Expences and and Trouble on repeated Journeys in Search of the Murderers of *John Thomas* and *Eleanor Davis*, ...	25	0	0
To *Charles Stow*, Door-keeper to the Council, for Attendance on 15 Councils, at 2*s.* 6*d.* each	1	17	6
To *Mary Burden*, for sweeping and airing the State-house, *&c.*	5	0	0
To *Plunket Fleeson*, for a Bottom for the Speaker's Chair, *per* Account, ...	1	2	0
	£ 1443	0	0